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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9959

CREATING A BOARD OF INQUIRY TO REPORT ON A LABOR DISPUTE AFFECTING THE COMMUNICATIONS INDUSTRY OF THE UNITED STATES

WHEREAS there exists a labor dispute between the American Telephone and Telegraph Company (Long Lines Division) and certain of its employees represented by the American Union of Telephone Workers (CIO) and

WHEREAS in my opinion such dispute threatens to result in a strike or lock-out affecting a substantial part of the communications industry, an industry engaged in transmission or communication among the several States or with foreign nations, which strike or lock-out, if permitted to occur, will imperil the national health and safety

NOW THEREFORE, by virtue of the authority vested in me by section 206 of the Labor-Management Relations Act, 1947 (Public Law 101, 80th Congress), I hereby create a Board of Inquiry, consisting of such members as I shall appoint, to inquire into the issues involved in such dispute.

The Board shall have powers and duties as set forth in Title II of the said Act. The Board shall report to the President in accordance with the provisions of section 206 of the said Act on or before June 8, 1948.

Upon the submission of its report, the Board shall continue in existence to perform such other functions as may be required under the said Act, until the Board is terminated by the President.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 18, 1948.

[F. R. Doc. 48-4595; Filed, May 18, 1948;
4:26 p. m.]

EXECUTIVE ORDER 9960

PROVIDING FOR THE ADMINISTRATION OF AID AND RELIEF FOR THE PEOPLE OF CERTAIN COUNTRIES

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

1. (a) The Administrator for Economic Cooperation shall perform the

functions heretofore performed by the Secretary of State (with respect to providing relief assistance to the people of countries devastated by war and discharging related duties under the joint resolution of May 31, 1947 (Public Law 84, 80th Congress)), pursuant to the provisions of Executive Order No. 9864 of May 31, 1947; and the Administrator may perform such functions directly or through the field administrator appointed pursuant to section 4 of the said joint resolution or through such officers or employees of the Economic Cooperation Administration as he may designate to act on his behalf. The provisions of the said Executive order, as amended by this paragraph, shall be applicable to the operations of the Economic Cooperation Administration under the said joint resolution.

(b) There shall be transferred to the Economic Cooperation Administration so much of the personnel, records, and property of the Department of State which relate to said functions, and so much of the unexpended balances of funds now available to the Department of State for the purposes of the said joint resolution, as the Secretary of State and the Administrator for Economic Cooperation shall jointly determine to be necessary for use in connection with such functions; provided that any such transfer of funds shall have the approval of the Director of the Bureau of the Budget.

2. Consonant with the provisions of section 14 of the Foreign Aid Act of 1947 (Public Law 389, 80th Congress) the Administrator for Economic Cooperation shall perform the functions heretofore performed by the Secretary of State pursuant to the provisions of Executive Order No. 9914 of December 26, 1947; and the provisions of that order, as amended by this paragraph, shall be applicable to the operations of the Economic Cooperation Administration under the said Act. The Administrator for Economic Cooperation shall consult with the Secretary of State before entering into any agreement or amendment of any agreement under section 5 of the said Foreign Aid Act of 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
May 19, 1948.

[F. R. Doc. 48-4621; Filed, May 19, 1948;
10:53 a. m.]

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Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

PART 927—MILK IN NEW YORK METROPOLITAN MARKETING AREA

CONCENTRATED MILK PRODUCTS

Pursuant to the provisions of § 927.4 (b) of Order No. 27, as amended (7 CFR Supps., 927.1 et seq., 12 F. R. 5249, 8882, 13 F. R. 1396, 1641) regulating the handling of milk in the New York metropolitan milk marketing area, and of the Administrative Procedure Act (60 Stat. 237) a public meeting was held at New York, New York, on April 14, 1948, to consider a proposal to amend the rules and regulations, as amended (7 CFR, 1945 Supp., 927—Appendix A, 12 F. R. 457, 3241) which have been previously issued under said Order No. 27, as amended. Following such meeting and on April 22, 1948, the market administrator of said order, as amended, issued the tentative amendment, set forth in Appendix A attached hereto and made a part hereof, to the aforesaid rules and regulations, as amended. Due consideration having been given to the data, views, and arguments presented at said public meeting, the aforesaid tentative amendment to the said rules and regulations, as amended, is hereby approved and shall be effective on and after the 1st day of June 1948.

Order 27, as amended, requires that such rules and regulations, and amendments thereto, shall become effective on the first day of the month following their approval by the Secretary of Agriculture. It further appears that, in accordance with Order 27, the tentative amendment was issued and sent, on or about April 22, 1948, to all handlers operating pool plants. The changes effected by this amendment do not require substantial or extensive preparation by handlers prior to the effective date. The time intervening between the date of issuance of this amendment and its effective date affords handlers a reasonable time to prepare for its effective date. It is therefore found and determined that the effective date fixed herein for the said amendment, namely, June 1, 1948, is reasonable and proper in the circumstances and that to

defer the effective date of the said amendment to a date thirty days or more after publication in the FEDERAL REGISTER would be impracticable, unnecessary, and contrary to the public interest.

(48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 701 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of May 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Appendix A—Rules and Regulations Issued by Market Administrator

Amend section 1 (q) the definition of "other concentrated milk products", by adding subparagraph (4) to read as follows:

(4) The product which meets all the requirements of "evaporated milk" as set forth in paragraph (m) of this section with the exception that other vitamins and minerals not to exceed 0.5 percent of the total weight of the product may be added during the process of manufacture.

[F. R. Doc. 48-4519; Filed, May 19, 1948; 8:47 a. m.]

PART 981—IRISH POTATOES IN SOUTHEASTERN STATES

It is hereby ordered, That such handling of Irish potatoes grown in the Southeastern States production area as is in the current of interstate commerce, or so as directly to burden, obstruct, or affect such commerce, shall, from and after the effective time hereof, be in conformity to and in compliance with the terms and conditions of the "Order Regulating the Handling of Irish Potatoes Grown in Southeastern States" which was annexed to and made a part of the decision of the Secretary of Agriculture issued on April 12, 1948 (F. R. Doc. 48-3311; 13 F. R. 2021) with respect to a proposed marketing agreement and a proposed marketing order regulating the handling of Irish potatoes grown in Southeastern States production area: *Provided*, That the reference to "§ 981.7 (k)" in § 981.2 (e) of said order shall be changed to "§ 981.1 (k)". All of the findings, terms, and conditions of the aforesaid order shall be, and hereby are, the findings, terms, and conditions of this order as if set forth in full herein.

The aforesaid findings are hereby supplemented by the following citations, additional findings and determinations.

Sec.	Findings and determinations.
981.0	Definitions.
981.1	Administrative Committee.
981.2	District Committees.
981.3	Expenses and assessments.
981.4	Regulations.
981.5	Limitation of regulations.
981.6	Reports.
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981.11	Duration of immunities.
981.12	Agents.
981.13	Derogation.
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981.16	Amendments.
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AUTHORITY: §§ 931.0 to 931.17, inclusive issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 203, 707; 7 U. S. C. 601 et seq., sec. 102, Reorg. Plan 1 of 1947; 12 F. R. 4534.

§ 981.0 Findings and determinations—(a) Findings upon the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933) as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Supps., 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159, 4904), a public hearing was held at Elizabeth City, North Carolina on January 12-13, 1948, at New Bern, North Carolina, on January 15, 1948, at Charleston, South Carolina on January 19, 1948, and at Parksley, Virginia on January 22-23, 1948, upon a proposed marketing agreement and a proposed order regulating the handling of Irish potatoes grown in the Southeastern States production area. Upon the basis of evidence introduced at such hearing, and the record thereof, it is found that:

(1) The terms and provisions of this order prescribe, so far as practicable, such different terms, applicable to different production areas, as are necessary in order to give due recognition to the difference in production and marketing of such Irish potatoes;

(2) This order is limited in its application to the smallest regional production area that is practicable, consistent with carrying out the declared policy of the act, and the issuance of several orders applicable to any subdivision of said production area specified herein would not effectively carry out the declared policy of the act; and

(3) This order and all of the terms and conditions of this order will tend to effectuate the declared policy of the act with respect to Irish potatoes produced in said production area, specified in this order, by establishing and maintaining such orderly marketing conditions therefor as will tend to establish prices to the producers thereof at a level that will give such Irish potatoes a purchasing power, with respect to the articles that the producers thereof buy, equivalent to the purchasing power of such Irish potatoes in the base period, August 1919-July 1929, and by protecting the interest of the consumer by (i) approaching the level of prices which it is declared in the act to be the policy of Congress to establish by a gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (ii) by authorizing no action which has for its purpose the maintenance of prices to producers of such Irish potatoes above the level which it is declared in the act to be the policy of Congress to establish, and (iii) by establishing and maintaining such minimum standards of quality and such grading and inspection requirements for Irish potatoes in interstate commerce as will effectuate such

orderly marketing of such Irish potatoes as will be in the public interest.

(b) *Additional findings.* It is necessary, in the public interest, to make this order effective not later than May 24, 1948. Any delay beyond May 24, 1948, in the effective date of this order will seriously threaten the orderly marketing of Irish potatoes grown in the Southeastern States production area, the marketing season for which will begin on or about that date. It is also necessary to have the Southeastern Potato Committee, the administrative agency provided for in the order, organized and functioning at the beginning of said marketing season. It is essential that this marketing order should be effective at the beginning of said marketing season so that growers and shippers in the production area may be in a position to obtain the benefits of this program throughout the entire season and, in addition, so that the benefits, responsibilities, and obligations of this program may be distributed equitably throughout the season among producers and handlers of Irish potatoes in the production area. The nature and provisions of the order are well known to handlers of Irish potatoes grown in the Southeastern States production area since the public hearing was held in January 1948, and the recommended decision and final decisions were published in the *FEDERAL REGISTER* on March 23, 1948, and April 15, 1948, respectively. Compliance with this order will not require any preparation on the part of handlers which cannot be completed by May 24, 1948. It is hereby found and determined, in view of these facts and circumstances, that good cause exists for making this order effective May 24, 1948, and that it would be contrary to the public interest to delay the effective date of the order for 30 days after its publication (see sec. 4 (c) Administrative Procedure Act, 60 Stat. 237)

(c) *Determinations.* It is hereby determined that:

(1) A marketing agreement regulating the handling of Irish potatoes grown in the Southeastern States production area, upon which the aforesaid public hearing was held, has been executed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the Irish potatoes covered by this order) who handled not less than 50 percent of the volume of such Irish potatoes covered by this order;

(2) This order regulates the handling of such Irish potatoes in the same manner as, and is made applicable only to persons in the respective classes of industrial and commercial activity specified in, the aforesaid marketing agreement;

(3) The issuance of this order is favored or approved (i) by at least two-thirds of the producers who participated in a referendum conducted by the Secretary of Agriculture and who, during the representative period (January 1-December 31, 1947) determined by the Secretary of Agriculture, were engaged, within the production area specified herein, in the production of Irish potatoes for market, and (ii) by producers, who participated in the aforesaid referendum,

who, during the aforesaid representative period, produced for market, within the production area specified in this order, at least two-thirds of the volume of Irish potatoes produced by all producers who participated in the said referendum.

Order relative to handling. It is hereby ordered, pursuant to the findings and determinations set forth in § 981.0 and pursuant to the aforesaid act, that such handling of Irish potatoes produced in the counties of Accomack, Northampton, James City, Nansemond, Norfolk, and Princess Anne in the State of Virginia, and the counties of Scotland, Hoke, Harnett, Johnston, Nash, Halifax, Northampton, and all counties east thereof, in the State of North Carolina, as is in the current of interstate commerce or so as directly to burden, obstruct, or affect such commerce, shall, from, and after the time hereinafter specified, be in conformity to and in compliance with the terms and conditions of this order.

§ 981.1 *Definitions.* As used herein, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any other officer or member of the United States Department of Agriculture who is or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

(b) "Act" means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

(c) "Person" means an individual, partnership, corporation, association, legal representative, or any organized group or business unit of individuals.

(d) "Production area" means and includes the counties of Accomack, Northampton, Princess Anne, Nansemond, Norfolk, and James City, in the State of Virginia, and the counties of Scotland, Hoke, Harnett, Johnston, Nash, Halifax, Northampton, and all counties east thereof in the State of North Carolina.

(e) "Potatoes" means all varieties of Irish potatoes grown in the production area.

(f) "Handler" is synonymous with shipper and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes in fresh form, whether or not of his own production.

(g) "Ship" means to transport, sell, or in any manner place potatoes in the current of interstate commerce or so as directly to burden, obstruct, or affect such commerce.

(h) "Producer" means any person engaged in the production of potatoes for market.

(i) "Fiscal year" means the period beginning on November 1 of each year and ending midnight October 31 of the following year.

(j) "Committee" means the Administrative Committee, called the Southeastern Potato Committee, established pursuant to § 981.2.

(k) "District" means, describes, and refers to each of the geographic divisions of the production area hereby established as follows:

District No. 1. Accomack County in the State of Virginia.

District No. 2. Northampton County in the State of Virginia.

District No. 3. Princess Anne, Nansemond, Norfolk, and James City counties in the State of Virginia.

District No. 4. Northampton, Gates, Hertford, Bertie, Chowan, Perquimans, Pasquotank, Currituck, and Camden counties in the State of North Carolina.

District No. 5. Halifax, Nash, Edgecombe, Pitt, Martin, Washington, Tyrrell, Dare, Hyde, Beaufort, Pamlico, Craven, Carteret, Onslow, and Jones counties in the State of North Carolina.

District No. 6. Scotland, Hoke, Harnett, Robeson, Cumberland, Sampson, Johnston, Wilson, Wayne, Greene, Lenoir, Duplin, Bladen, Columbus, Pender, New Hanover, and Brunswick counties in the State of North Carolina.

§ 981.2 *Administrative Committee—*
(a) *Establishment and membership.* (1) The Southeastern Potato Committee, consisting of 12 members, of whom 6 shall be producers and 6 shall be handlers, is hereby established. For each member of the committee, there shall be an alternate member, who shall have the same qualifications as the member.

(2) Persons selected as members or alternates of the committee shall be individuals who are producers or handlers, respectively, in the respective district for which selected, or officers or employees of a corporate producer or handler, respectively, in such district: *Provided*, That no person, if he handles potatoes, shall be eligible for selection as a producer member on said committee unless 51 percent or more of the potatoes handled by him during the then current fiscal year were of his own production, or unless such person is an officer or employee of a producer's cooperative marketing association.

(b) *Term of office.* The term of office of members and alternates of the committee shall be for 1 year beginning on the 1st day of November. Members and alternates of the committee shall serve during the fiscal year for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the fiscal year and continuing until the end thereof, and until their successors are selected and have qualified.

(c) *Initial committee members and alternates.* The initial members and alternates of the committee shall be selected by the Secretary for a term of office ending at midnight on October 31, 1948 and until their successors are elected and have qualified. In thus selecting the initial members and their respective alternates the Secretary may consider such nominations or suggestions, if any, as may be submitted by producers, handlers, or groups thereof, and such nominations or suggestions may be by virtue of elections conducted by groups of producers and groups of handlers.

(d) *Nominations.* (1) The Secretary may select the members of the Southeastern Potato Committee and their respective alternates, subsequent to the initial members and alternates, from nominations made by producers and handlers as provided in this section.

(2) Except for initial members and alternates the Southeastern Potato Committee shall hold or cause to be held prior to September 15 of each year, after the effective date hereof, a meeting or meetings of producers and handlers in each of the districts designated in § 981.1 (k), for the purpose of designating nominees from among whom the Secretary may select members and alternates of the committee.

(3) In arranging for such meetings, the Southeastern Potato Committee may, if it deems such to be desirable, utilize the services and facilities of existing organizations and agencies.

(4) At each such meeting at least two nominees shall be designated for each position as producer member, and as alternate producer member, on the committee and at least two nominees shall be designated for each position as handler member, and as alternate handler member, on the committee.

(5) Nominations for committee members and alternates shall be supplied to the Secretary in such manner and form as he may prescribe, not later than 15 days prior to the end of each fiscal year.

(6) Persons who are producers, handlers, or both producers-handlers, of potatoes may participate in designating nominees for members and alternates. Regardless of the number of districts in which a person produces or handles potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives, in designating nominees for member and alternates on the committee for the respective district in which such person is engaged in producing or handling potatoes: *Provided*, That in the event a person is engaged in producing or handling potatoes in more than one district, such person shall elect the district within which he shall participate as aforesaid in designating nominees. *Provided further* That an eligible voter's privilege of casting only one vote, as aforesaid, shall be construed to permit a voter to cast one vote for each nominee for committee members and one vote for each nominee for alternate committee members, in the district in which such voter produces or handles potatoes or in the district elected by such voter.

(e) *Selection*. The Secretary shall select two committee members, with their respective alternates, from each of the districts as defined in § 981.1 (k), which members and alternates shall represent the respective district from which they are selected. One member from each district shall be selected to represent producers and the other shall be selected to represent handlers; their respective alternates shall be selected on the same basis of representation.

(f) *Failure to nominate*. If nominations are not made within the time and in the manner specified by the Secretary pursuant to paragraph (d) of this section, the Secretary may, without regard to nominations, select the members and alternate members of the committee, which selection shall be on the basis of the representation provided for herein.

(g) *Acceptance*. Any person selected by the Secretary as a member or as an alternate member of the committee shall

qualify by filing a written acceptance with the Secretary within 10 days after being notified of such selection.

(h) *Vacancies*. To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any qualified member or alternate member, a successor for his unexpired term may be selected by the Secretary from nominations made in the manner specified in paragraph (d) of this section, or the Secretary may select such member or alternate member from previously unselected nominees on the current nominee list from the district involved. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of the representation provided for herein.

(i) *Alternate members*. An alternate member of the committee shall act in the place and stead of the member for whom he is alternate during such member's absence. In the event of death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for the unexpired term of such member is selected and has qualified.

(j) *Procedure*. (1) Nine members shall constitute a quorum of the committee and any action of the committee shall require nine concurring votes.

(2) The committee may provide procedure for meeting by telephone, telegraph, or other means of communications, and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided*, That if an assembled meeting of the committee is held all votes shall be cast in person.

(k) *Expenses and compensation*. The members of the committee and their respective alternates when acting as members, may be reimbursed for expenses necessarily incurred by them in performance of their duties and in the exercise of their powers hereunder, and shall receive compensation at a rate to be determined by the committee, which rate shall not exceed \$5.00 per day or portion thereof.

(l) *Powers*. The committee shall have the following powers:

(1) To administer the provisions hereof in accordance with its terms;

(2) To make rules and regulations to effectuate the terms and provisions hereof;

(3) To receive, investigate, and report to the Secretary complaints of violation of the provisions hereof;

(4) To recommend to the Secretary amendments hereto.

(m) *Duties*. It shall be the duty of the committee:

(1) To act as intermediary between the Secretary and any producer or handler;

(2) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by

the Secretary or his authorized agent or representative;

(3) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes, and to engage in such research and service activities which relate to the handling or marketing of potatoes as may be approved by the Secretary.

(4) To furnish to the Secretary such available information as he may request;

(5) To select subcommittees of committee members, a chairman and such other officers as may be necessary, and to adopt such rules and regulations for conduct of its business as it may deem advisable;

(6) At the beginning of each fiscal year, to submit to the Secretary a budget of its expenses for such fiscal year, together with a report thereon;

(7) To cause the books of the committee to be audited by a competent accountant at least once each fiscal year, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant hereto; a copy of each such report shall be furnished to the Secretary and a copy of each of such report shall be made available at the principal office of the committee for inspection by producers and handlers.

(8) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person, and

(9) To consult, cooperate and exchange information with other potato marketing committees and other individuals or agencies in connection with all proper committee activities and objectives hereunder.

(n) *Obligations*. Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds, together with all books and records, in his possession, to his successor in office or to a trustee designated by the Secretary and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or trustee full title to all the property, funds, and claims vested in such member pursuant hereto: *Provided*, That the provisions hereof shall apply to alternate members in possession of funds, property, books or records, or participate in the receipt or disbursement of funds.

§ 981.3 *District Committees*. Potato producers and handlers in each district, as defined in § 981.1 (k) may establish and organize a District Committee of potato producers and handlers within each such district for the purpose of assisting in an advisory capacity the members of the Southeastern Potato Committee from their district. The size and composition of each such District Committee shall be determined by producers and handlers within each district. Reports on the size and composition of each District Committee shall be made available upon request to the Southeast-

ern Potato Committee. The members of such District Committees shall not receive compensation from any funds dispersed by the Southeastern Potato Committee. Members of District Committees may be selected at meetings sponsored by the Southeastern Potato Committee. The terms of office of members of District Committees shall coincide with the terms of office of members of the Southeastern Potato Committee.

§ 981.4 Expenses and assessments—

(a) *Expenses.* The committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out the functions of the committee pursuant to the provisions hereof during each fiscal year. The funds to cover such expenses shall be acquired by levying assessments as hereinafter provided.

(b) *Assessments.* (1) Each handler who first handles potatoes shall, with respect to the potatoes so handled by him, pay to the committee such handler's pro rata share of the expenses which the Secretary finds will be necessarily incurred by the committee for its maintenance and functioning during each fiscal year. Such handler's pro rata share of such expenses shall be equal to the ratio between the total quantity of potatoes handled by him as the first handler thereof, during the applicable fiscal year, and the total quantity of potatoes handled by all handlers as the first handlers thereof, during the same fiscal year. The Secretary shall fix the rate of assessment to be paid by such handlers: *Provided*, That the rate of assessment during each fiscal year shall not exceed 1 cent per hundred-weight.

(2) At any time during or after a fiscal year, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses of the committee. Such increase shall be applicable to all potatoes handled during the given fiscal year. In order to provide funds to carry out the functions of the committee, handlers may make advance payment of assessments.

(c) *Accounting.* (1) If, at the end of a fiscal year, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal year, unless he demands payment thereof, in which event such proportionate refund shall be paid to him.

(2) If, after reasonable effort by the Committee, it is found impossible to return excess funds to handlers, such funds shall, with the approval of the Secretary, be turned over to an appropriate agency serving potato producers in the production area.

(3) The committee may, with the approval of the Secretary, maintain in its own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of the expenses of the committee.

(d) *Funds.* All funds received by the Committee pursuant to any provision hereof shall be used solely for the purposes herein specified and shall be accounted for in the following manner:

(1) The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements; and

(2) Whenever any person ceases to be a member of the committee, he shall account for all receipts and disbursements and deliver all property and funds in his hands, together with all books and records in his possession, to his successor in office or to such person as the Secretary may designate, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all the property, funds, or claims vested in such member.

§ 981.5 Regulations— (a) *Marketing policy.* At the beginning of each fiscal year, the committee shall prepare and submit to the Secretary a report setting forth its proposed policy for the marketing of potatoes during such fiscal year. In the event it becomes advisable to deviate from such marketing policy, because of changed demand and supply conditions, the committee shall formulate a new marketing policy and shall submit a report thereof to the Secretary. The committee shall notify producers and handlers of the contents of such reports.

(b) *Recommendations for regulations.*

(1) It shall be the duty of the committee to investigate supply and demand conditions for grades, sizes, and quality of all potatoes. Whenever the committee finds that such conditions make it advisable to regulate the shipment of particular grades, sizes, or qualities of potatoes during any period in any or all portions of the production area, it shall recommend to the Secretary the particular grades, sizes, and qualities, or any combination thereof, of such potatoes deemed advisable to be shipped during such period: *Provided*, That the committee shall not recommend to the Secretary any regulation limiting the shipment of U. S. No. 1 grade or better, as such grades are defined in United States Standards for Potatoes in effect at the time of recommendation.

(2) In determining the grade, size, and qualities of potatoes or any and all combinations thereof deemed advisable to be regulated in view of the prospective demand thereof, the committee shall give due consideration to the following factors:

(i) Market prices, including prices by grades and sizes, of potatoes for which regulation is recommended;

(ii) Potatoes on hand in the market areas as manifested by supplies en route and on track at the principal markets;

(iii) Available supply, quality, and condition of potatoes in the production area and other production areas;

(iv) Supplies from competing areas and regions producing potatoes;

(v) The trend and level of consumer income, and

(vi) Other relevant factors.

(c) *Issuance of regulations.* Whenever the Secretary shall find, from the recommendations, information and evidence submitted by the committee, or from other available information, that

to limit the shipment of potatoes to particular grades, sizes, and qualities thereof in any or all portions of the production area would tend to effectuate the declared policy of the act, he shall so limit by appropriate regulations thereon the shipments of such potatoes during a specified period. The Secretary shall notify the committee of any such regulation and the committee shall give reasonable notice thereof to handlers: *Provided*, That no regulations shall be issued hereunder limiting the shipment of U. S. No. 1 grade or better, as such grades are defined in United States Standards for Potatoes in effect at the time such regulations are issued.

(d) *Minimum standards of quality—*

(1) *Recommendation.* Whenever the committee deems it advisable to establish and maintain minimum standards of quality governing the shipment of potatoes, it shall recommend to the Secretary such minimum standards of quality in terms of grades, sizes, or both, below which shipments are to be prohibited. At the time of submitting each such recommendation, the committee shall also submit to the Secretary the supporting data and information upon which it acted in making such recommendation. The committee shall submit in support of its recommendations such other data and information as may be requested by the Secretary, and shall promptly give adequate notice to all handlers and growers of each such recommendation.

(2) *Establishment.* Whenever the Secretary finds, from the recommendations and information submitted by the committee, or from other available information, that to prohibit the shipment of potatoes below certain specified minimum grades, or smaller than certain specified minimum sizes, or both, would be in the public interest and would tend to effectuate the declared policy of the act, he shall so prohibit the shipment of such potatoes. The Secretary shall immediately notify the committee of the issuance of each such regulation, and the committee shall promptly give adequate notice thereof to handlers and growers.

(3) *Modification or suspension.* The committee may recommend to the Secretary the modification, suspension, or termination of orders relating to minimum standards provided for or established pursuant hereto. If the Secretary finds, upon the basis of such recommendation and information, or upon the basis of other available information, that to modify, suspend, or terminate such orders relating to minimum standards of quality will tend to effectuate the declared policy of the act, he shall so modify or suspend such standards for (i) a specified period of time, or (ii) for an indefinite period of time.

The Secretary shall immediately notify the committee and the committee shall promptly give notice to growers and handlers, of any order issued by the Secretary modifying, suspending, or terminating any orders relating to minimum standards of quality established pursuant hereto or provided for herein.

(e) *Inspection and certification.* The Southeastern Potato Committee shall require, with approval of the Secretary,

that whenever regulations are in effect pursuant hereto, each first handler shall, prior to making each shipment of potatoes, cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service. Each handler shall make arrangements with the inspecting agency to forward promptly to the committee a copy of each inspection certificate, issued as aforesaid.

(f) *Exemptions.* (1) The committee may adopt, subject to approval by the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers.

(2) The committee may cause to be issued certificates of exemption to any producer who furnishes adequate evidence to the committee that by reason of a regulation issued pursuant to this section he will be prevented from shipping as large a proportion of his production as the average of all producers in said producer's district, township, or magisterial district. The committee shall be permitted at any time to make a thorough investigation of any producer's claim pertaining to exemptions. Such certificate shall permit the producer to ship the amount of potatoes specified thereon. Such certificates may be transferred with such potatoes at time of sale.

(3) If any producer is dissatisfied with the determination by the committee with respect to the producer's application for an exemption certificate, said producer may file an appeal with the committee. Such an appeal must be taken promptly after the determination by the committee from which the appeal is taken. Any producer filing an appeal shall furnish evidence satisfactory to the committee, for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination, concerning the certificate of exemption to be granted. The committee shall notify the appellant of the final determination and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determination.

(4) The Secretary shall have the right to modify, change, alter, or rescind any procedure and any exemptions granted pursuant to this section.

(5) Records shall be maintained by the committee and a weekly report furnished to the Secretary showing the applications received, exemptions granted, exemptions denied and shipments made under exemptions.

§ 981.6 *Limitation of regulations.* Nothing contained herein shall authorize any limitation of the shipment of potatoes for any of the following purposes:

(a) Potatoes shipped for consumption by charitable institutions or for distribution by relief agencies;

(b) Potatoes shipped for manufacturing or conversion into by-products, except for manufacturing or conversion into specified products recommended by the committee for regulation and approved by the Secretary therefor; and

(c) Upon recommendation of the committee and approval of the Secretary,

potatoes shipped for livestock feed, export, or for other specified purposes. The Secretary shall give prompt notice to the committee of any approval issued by him under the provisions of this section. The committee may prescribe adequate safeguards to prevent potatoes shipped for the purposes stated above from entering the current of interstate commerce or directly burdening, obstructing, or affecting such commerce contrary to the provisions hereof, which safeguards may include (1) a requirement by the committee that growers and handlers who ship potatoes pursuant to this section shall file applications to do so with the committee and (2) Federal-State inspection provided by § 981.5 (c) and the payment of a pro rata share of expenses provided by § 981.4: *Provided*, That such inspection and payment of expenses may be required at different times than otherwise specified by the aforesaid sections. The committee may issue Certificates of Privilege for shipments of potatoes affected or to be affected under the provisions of this section and shall make a weekly report to the Secretary showing the number of certificates applied for, the number of bushels of potatoes covered by such applications, the number of certificates denied and granted, the number of bushels of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary. The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

§ 981.7 *Reports.* Upon the request of the committee, with the approval of the Secretary, every handler shall furnish to the committee, in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its duties hereunder. The Secretary shall have the right to modify, change or rescind requests for any reports pursuant to this section.

§ 981.8 *Compliance.* Except as provided herein, no handler shall ship potatoes, the shipment of which has been prohibited by the Secretary in accordance with provisions hereof, and no handler shall ship potatoes except in conformity to the provisions hereof.

§ 981.9 *Right of the Secretary.* The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination, or other act of the committee, shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 981.10 *Effective time and termination.*—(a) *Effective time.* The provisions hereof shall become effective at such time as the secretary may declare above his

signature attached hereto, and shall continue in force until terminated in one of the ways hereinafter specified.

(b) *Termination.* (1) The Secretary may, at any time, terminate the provisions hereof by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(2) The Secretary may terminate or suspend the operations of any or all of the provisions hereof whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(3) The Secretary shall terminate the provisions hereof at the end of any fiscal year whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal year, have been engaged in the production for market of potatoes: *Provided*, That such majority has, during such year, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effected only if announced on or before October 31 of the then current fiscal year.

(4) The provisions hereof shall, in any event, terminate whenever the provisions of the act authorizing them, cease to be in effect.

(c) *Proceedings after termination.*

(1) Upon the termination of the provisions hereof, the then functioning members of the committee shall continue as trustees, for the purpose of liquidating the affairs of the committee, of all funds and the property then in the possession of, or under control of the committee, including claims for any funds unpaid, or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(2) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.

(3) Any person to whom funds, property, or claims have been transferred, or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 981.11 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination hereof, or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty obligation, or liability which shall have arisen, or which may thereafter arise in connection with any provision hereof, or any regulation issued hereunder, or (b) release or extinguish any violation hereof, or of any regulation issued hereunder,

or (c) affect or impair any rights or remedies of the Secretary, or of any other person with respect to any such violation.

§ 981.12 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue hereof shall cease upon the termination hereof, except with respect to acts done under and during the existence hereof.

§ 981.13 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

§ 981.14 *Derogation.* Nothing contained herein is, or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 981.15 *Personal liability.* No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

§ 981.16 *Separability.* If any provision hereof is declared invalid, or the applicability thereof to any person, circumstances, or thing is held invalid, the validity of the remainder hereof, or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 981.17 *Amendments.* Amendments hereto may be proposed from time to time by the committee or by the Secretary.

Issued at Washington, D. C., this 18th day of May 1948, to be effective on and after 12:01 a. m., e. s. t., May 24, 1948.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 48-4613; Filed, May 19, 1948; 8:59 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. ER-126]

PART 228—FREE AND REDUCED-RATE TRANSPORTATION

FREE TRAVEL FOR POSTAL EMPLOYEES

Adopted by the Civil Aeronautics Board at its offices in Washington, D. C. on the 13th day of May 1948.

The purpose of this amendment is to add the Administrative Officer, Air Postal Transport to the list of postal officers who are to be carried free when traveling on official business relating to the transportation of mail by aircraft.

The Board finds that the Administrative Officer, Air Postal Transport has

important duties in connection with the transportation of mail by aircraft; that this amendment is minor in nature and that notice and public procedure thereon are therefore unnecessary. Since the Administrative Officer, Air Postal Transport intends to travel by air on official business in relation to the transportation of mail by aircraft, commencing on or about May 17, 1948, the postponement of the effective date hereof for 30 days would constitute an undue hardship on the Post Office Department, and since making this regulation effective on less than 30 days' notice will not place an undue burden on any person, the Board finds that good cause exists for making this amendment effective May 17, 1948.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends subparagraph (3) of § 228.1 (a) of the Economic Regulations (14 CFR 228.1 (a)) to read as follows, effective May 17, 1948:

§ 228.1 *Free travel for postal employees—(a) Postal employees to be carried free.* * * *

(3) The Third Assistant Postmaster General; the Assistant Postmaster General who at the time is charged with the duty of the general management of post offices; the Assistant Postmaster General who at the time is assigned the supervision of Air Postal Transport, his Confidential Assistant, his Under Second Assistant, and his four Deputy Second Assistants; the Administrative Officer, Air Postal Transport; the Solicitor of the Post Office Department and the Assistant Solicitor, and any attorney in the Office of the Solicitor who at the time is assigned by the Solicitor to handle matters relating to the transportation of mail by aircraft; the Chief Inspector and the Assistant Chief Inspector.

(Secs. 205 (a) 405 (m) 52 Stat. 984, 994; 49 U. S. C. 425, 485)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-4527; Filed, May 19, 1948; 8:50 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter C—The Foreign Service

[Foreign Service Reg. S-48]

PART 101—DIRECTION AND ORGANIZATION OF FOREIGN SERVICE

PROCEDURE TO BE FOLLOWED BY FOREIGN REPRESENTATIVES IN REQUESTING CUSTOMS COURTESIES IN UNITED STATES

MAY 12, 1948.

Under authority contained in R. S. 161 (5 U. S. C. 22) and pursuant to section 302 of the Foreign Service Act of 1946 (60 Stat. 1001) Title 22 of the Code of Federal Regulations, Part 101, § 101.915, paragraph (b) is hereby amended to read as follows:

§ 101.915 *Procedure to be followed by foreign representatives in requesting customs courtesies in United States.* * * *

(b) If there are reasons why special treatment should be accorded in individual cases or in the event the individual is of sufficient prominence and it is feared that the foreign mission in Washington may not have received a request for extension of customs courtesies sufficiently in advance, diplomatic and consular officers of the United States may notify the Department by cablegram of the intended arrival.

Section 101.920 is hereby rescinded.

(R. S. 161, sec. 302, 60 Stat. 1001, 5 U. S. C. 22)

This regulation shall become effective immediately upon publication in the FEDERAL REGISTER.

For the Secretary of State.

[SEAL] JOHN E. PEURIFOY,
Assistant Secretary.

[F. R. Doc. 48-4626; Filed, May 19, 1948; 8:50 a. m.]

PART 401—AID TO WAR-DEVASTATED COUNTRIES

ADMINISTRATION OF AID AND RELIEF FOR THE PEOPLES OF CERTAIN COUNTRIES

CROSS REFERENCE: For order amending Executive Order 9864 (§ 401.2) and Executive Order 9914 (§ 401.3) see Executive Order 9960, *supra*, which provides for the performance of certain functions with respect to the administration of aid and relief for the people of certain countries, heretofore performed by the Secretary of State, by the Administrator for Economic Cooperation.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2427]

PART 4—DELEGATIONS OF AUTHORITY

BUREAU OF LAND MANAGEMENT; DELEGATIONS TO DIRECTOR IN SPECIFIED MATTERS

The following section is added:

§ 4.277 *Authority to designate employees to perform the functions of Acting Managers.* The Director may authorize the employee who is senior in grade in a district land office to perform the functions of the Acting Manager of that office in case of the death, resignation, absence, or sickness of the Acting Manager. However, such employee shall not decide or dispose of a contest or protest. He may not perform the functions of an Acting Manager until he has filed a bond in such penal sum as the Director may fix and the bond has been accepted by the Director. Each employee authorized to act under this section shall sign all documents and other papers under his payroll title and not as Acting Manager.

Each employee shall, by memoranda, advise his Regional Administrator of the beginning and of the termination of a period during which he performs the functions of an Acting Manager. Copies

of such memoranda shall be sent to the Director.

(R. S. 161, 5 U. S. C. 22; Reorg. Plan No. 3 of 1946; 11 F. R. 7875)

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

MAY 13, 1948.

[F. R. Doc. 48-4508; Filed, May 19, 1948;
8:45 a. m.]

Chapter I—Bureau of Land Management, Department of the Interior

PART 50—ORGANIZATION AND PROCEDURE

DELEGATIONS OF AUTHORITY

CROSS REFERENCE: For order affecting the list of delegations of authority contained in §§ 50.57 to 50.81, inclusive, see the delegation in Part 4 of this title, *supra*, concerning the authority of the Director to designate employees to perform the functions of Acting Managers.

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 8827]

PART 3—RADIO BROADCAST SERVICES

USE OF COMMON ANTENNA BY ONE OR MORE STANDARD BROADCAST STATIONS OR BY ONE OR MORE STANDARD BROADCAST STATIONS AND A STATION OF ANOTHER CLASS OR SERVICE

Amendment of § 3.45 (e) of rules and regulations and section 19 of Standards of Good Engineering Practice concerning the use of a common antenna by one or more standard broadcast stations or by one or more standard broadcast stations and a station of any other class or service.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 12th day of May 1948;

The Commission having under consideration the matter of the amendment of § 3.45 (e) of the Commission's rules and regulations and section 19 of the Standards of Good Engineering Practice concerning the use of a common antenna by one or more standard broadcast stations or by one or more standard broadcast stations and a station of any other class of service; and

It appearing, that on March 11, 1948, a general notice of proposed rule making with respect thereto was issued, which notice was published in the FEDERAL REGISTER; and

It further appearing, that no comments or recommendations pertaining to the proposed changes were filed with the Commission; and

It further appearing, that in order to permit more efficient utilization of available transmitter sites it is desirable to delete the requirements of § 3.45 (e) of the rules and regulations and section 19 of the Standards of Good Engineering Practice which provide that the simultaneous use of a common antenna and antenna structure by two standard broadcast stations, or by one or more standard broadcast stations, and a station of any other class of service, will not be authorized unless the stations are licensed to the same licensee, and to substitute therefor a more liberalized rule permitting such operation by two or more stations provided one of the licensees accepts responsibility for maintaining, painting and illuminating the structure;

It is ordered, That § 3.45 (e) of the Commission's rules and regulations governing radio broadcast services is amended to read as follows:

§ 3.45 Radiating system. * * *

(e) The simultaneous use of a common antenna or antenna structure by more than one standard broadcast station, or by one or more standard broadcast stations and one or more stations of any other class or service may be author-

ized provided complete responsibility for maintaining the installation and for painting and illuminating the structure in accordance with paragraph (d) of this section and for compliance with the pertinent provisions of the Standards of Good Engineering Practice is assumed by one of the licensees. (See "Use of Common Antenna by Standard Broadcast Stations or Another Radio Station").

It is further ordered, That section 19 of the Standards of Good Engineering Practice is amended to read as follows:

19 Use of common antenna by standard broadcast stations or another radio station.

Section 3.45 (e) under certain conditions, permits the simultaneous use of the same antenna or antenna structure by more than one standard broadcast station or by one or more standard broadcast stations and one or more stations of any other class or service.

Prerequisites to an authorization for simultaneous use are:

(1) Submission of complete verified engineering data showing that satisfactory operation of each station will be obtained without adversely affecting the operation of the other station.

(2) Compliance with § 3.45 (a) and (b) with respect to the minimum antenna height or field intensity for each standard broadcast station concerned.

(Secs. 303 (d) (e) (f) (g), 48 Stat. 1082, 1033, sec. 6 (b) 50 Stat. 191; 47 U. S. C. 303 (d) (e), (f) (g) (h))

It is further ordered, That this order shall become effective June 21, 1948.

Adopted: May 12, 1948.

Released: May 13, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4549; Filed, May 19, 1948;
8:56 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 01, 43]

NOTICE AND REPORTS OF AIRCRAFT ACCIDENTS AND MISSING AIRCRAFT

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Bureau, notice is hereby given that the Bureau will propose to the Board an amendment of Part 43 of the Civil Air Regulations setting forth the requirements for notice and reports of aircraft accidents and missing aircraft and an amendment of Part 01 which will delete existing provisions from that part.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communica-

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tions should be submitted to the Civil Aeronautics Board, attention Safety Bureau, Washington 25, D. C. All communications received within 30 days after the date of this publication will be considered by the Board before taking further action on the proposed rules.

Section 01.3 of the Civil Air Regulations presently provides for the notification and reporting of accidents and for the removal, release, and preservation of wreckage under specified conditions. These rules are substantially the same as those contained in the proposed amendment.

The purposes of the proposed amendments are: (a) To place the accident rules in Part 43, since aircraft owners, operators, and pilots are generally more familiar with the provisions of this part, (b) to set forth in greater detail the re-

quirements of the regulations, so that those required to give notice or submit reports are better informed as to their responsibilities, and (c) to widen the scope of the regulations to include the reporting of missing aircraft, so that the appropriate governmental agencies may assist in the search for missing aircraft.

It is proposed to amend Parts 01 and 43 as follows:

1. By repealing §§ 01.3 through 01.33.
2. By amending § 43.00 to read as follows:

§ 43.00 *Applicability of Part 43.* The following rules govern the operation of civil aircraft in the United States, except that the notification and reporting of aircraft accidents provided in § 43.7 and the definitions in § 43.9 are applicable to accidents involving civil aircraft of

United States registry wherever they occur.

3. By adding a new § 43.7 to read as follows:

§ 43.7 Notice and reports of aircraft accidents and missing aircraft.

§ 43.71 Notice of aircraft accidents. Immediate notice shall be given of any accident¹ involving air carrier aircraft of United States registry wherever it occurs. Immediate notice shall be given of any other civil aircraft accident within the United States or within a Territory or possession thereof when such accident (a) results in serious or fatal injury, (b) is believed to have resulted from mechanical or structural failure in flight, (c) involves collision of two or more aircraft in the air, or (d) involves fire on board the aircraft while the aircraft or any engine thereof is being started, warmed up, or operated. The fact that the aircraft has suffered only slight damage shall not limit the responsibility for giving notice as herein required.

§ 43.711 Responsibility for giving notice. In accidents involving air carrier aircraft of United States registry, the operator² thereof shall be responsible for giving notice as provided in § 43.71. In all other civil aircraft accidents of which immediate notice must be given, the pilot, or pilots, or, if the pilots are incapacitated, the owner or operator shall be responsible for such notice.

§ 43.712 To whom notice is directed. The notice must be directed to the Civil Aeronautics Board through its nearest office or through the nearest Civil Aeronautics Administration communications station or inspector who upon receipt shall transmit the information to the nearest Civil Aeronautics Board office. The notice shall be sent by the most expeditious means of communication available.

§ 43.713 Information to be given in notice. The notice shall include the following information concerning the accident, if available: Location, date, time of day, number of persons involved, injuries to each, aircraft identification including registration number, aircraft make and model, names of crew members, operator, and briefly the nature or circumstances surrounding the accident.

§ 43.72 Report of aircraft accident. A written report shall be made of every "aircraft accident incident to flight" involving aircraft of U. S. registry wherever it may occur, if "fatal or serious injury" is involved, or if the aircraft is "destroyed" or receives "substantial damage." A written report on any such accident involving "minor damage" will not be required, unless the owner or operator has been requested to make a report by an authorized representative of the Civil Aeronautics Board or the Civil Aeronautics Administration.³

§ 43.721 Responsibility for making report. The operator of the aircraft involved in the accident shall be responsible for making the written report required by § 43.72. The report shall be made as soon as possible and good cause shown in writing for any delay over seven days. If the operator is not the pilot, then each pilot involved in the accident, if not physically incapacitated at the time of the submission of the report, shall sign the report or attach thereto a signed statement setting forth the facts, conditions, and circumstances pertinent to the accident. If incapacitated, a statement shall be submitted as soon as physically possible.

§ 43.722 Form of report and contents. The report shall be made in duplicate on an accident report form furnished by the Civil Aeronautics Board and shall contain all available information therein required.

§ 43.723 To whom the report is directed. The original and one copy of the report shall be mailed to the nearest office of the Civil Aeronautics Board or given to a Civil Aeronautics Administration inspector who will immediately transmit the original copy of the report with the originals of any attachments directly to the appropriate office of the Civil Aeronautics Board.

§ 43.73 Preservation of aircraft wreckage and records. Aircraft, parts, and records thereof involved in or pertaining to an accident of which notice must be given under the provisions of § 43.71 shall be preserved for the Board by the pilot, owner, or operator. Wreckage of aircraft involved in accidents not requiring notification under § 43.71 need not be preserved, unless specifically ordered by an authorized representative of the Civil Aeronautics Board or of the Administrator when authorized by an appropriate representative of the Board.

§ 43.731 Prohibition against removing or disturbing wreckage and records. Aircraft, parts, or records thereof involved in or pertaining to an accident of which notice must be given under the provisions of § 43.71 shall not be disturbed or removed, unless specific permission is granted by an authorized representative of the Civil Aeronautics Board, except where necessary (a) to give assistance to persons injured or trapped therein, (b) to protect such wreckage from further serious damage, or (c) to protect the public from injury.

§ 43.732 Recording of original position and condition of wreckage. Whenever wreckage is moved in accordance with the provisions of § 43.731, sketches or photographs of the original position and condition of the wreckage, marks on the ground, and any other pertinent data shall be made prior to the removal, unless the resultant delay would endanger the lives of persons injured, or trapped, or unless the essential interests of public safety can be protected only by immediate movement. In any event, movement of the wreckage shall be accomplished so as to entail the minimum possible disturbance thereof, and shall be preserved

in accordance with the provisions of § 43.73.

§ 43.733 Release of wreckage. Aircraft, parts, or records thereof involved in or pertaining to an accident of which notice must be given under the provisions of § 43.71 shall not be released for repair, salvage, disposal, or any other purpose until permission is granted by an authorized representative of the Civil Aeronautics Board.

§ 43.74 Notice of missing aircraft. When an aircraft is assumed to be missing and the operator or owner is reasonably sure that it has been involved in an accident, the operator or owner shall immediately notify the Civil Aeronautics Board in accordance with the provisions of § 43.712.

§ 43.741 Contents of notice. The notice shall include place, date, and time of departure, destination, estimated time of arrival, aircraft identification including registration number, make, and model, names of crew members and passengers, operator, owner, and all other known pertinent information concerning the flight. In addition, it shall be the responsibility of the owner or operator to furnish such records pertinent to the flight as may be requested by the Civil Aeronautics Board. If the aircraft is still missing upon the expiration of seven days, the reporting provisions of § 43.721 shall be complied with.

4. By adding the following paragraphs to § 43.9:

(f) "Aircraft accident" is an occurrence during the starting, warming up, or operation of an aircraft which results in injury to any person or in damage to any aircraft. Whenever fatal or serious injury results from contact with a rotating propeller, it shall be considered an aircraft accident. A collision of two or more aircraft is considered one aircraft accident.

(g) "Aircraft accident incident to flight" is an accident which takes place between the time that any person boards the aircraft with intention of flight and the time that all such persons have disembarked.

(h) "Operator" shall include the owner, lessee, or any other person who causes or authorizes the operation of the aircraft.

(i) "Fatal injury" is an injury which results in death within 30 days.

(j) "Serious injury" is an injury which incapacitates for more than three consecutive days but does not result in death within 30 days.

(k) "Destroyed" means that an aircraft has suffered damage which renders it of no further value except for possible salvage of parts or when the repair of such damage would be more costly than the value of the aircraft.

(l) "Substantial damage" is damage which necessitates a major overhaul of the aircraft or the replacement of or extensive repairs to any major component of the aircraft. Major components include landing gear mechanisms (exclusive of tires, brakes, and fairing), wing panel (exclusive of wing tip, flaps, and

¹ See the definition of "aircraft accident" in § 43.9 (f).

² See definition of "operator" in § 43.9 (h).

³ For the definitions of the quoted words in this section, see § 43.9.

alleron) wing center section (exclusive of flaps) fuselage, vertical stabilizer (exclusive of rudder) horizontal stabilizer (exclusive of elevators) power plant (exclusive of cowlings and accessories)

(m) "Minor damage" is easily repairable damage to the aircraft, such as scraped wing tips, broken wheels, or bent fairing.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a) 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C., 425 (a) 551-560)

Dated: May 15, 1948, at Washington, D. C.

By the Safety Bureau.

[SEAL] JOHN M. CHAMBERLAIN,
Assistant Director (Regulations)

[F. R. Doc. 48-4528; Filed, May 19, 1948;
8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 11]

[Docket No. 8979]

ORGANIZATION, PRACTICE AND PROCEDURE

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of § 1.527 of the Commission's rules and regulations.

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. The proposed amendments to the Commission's rules are set forth below.

3. In proceedings on applications filed under section 221 (a) of the Communications Act of 1934, as amended, by one or more telephone companies for authority to consolidate their properties or a part thereof into a single company or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, the Commission is required to find, as a condition to certification thereof and after public hearing on the application, that the proposed "consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest." The Commission recognizes that, in making such a finding, it must give consideration to the effects of the proposed transaction on the interests of employees as a factor in the public interest. Likewise, the Commission recognizes that the public interest in the preservation and maintenance of adequate and efficient communications service requires the presence in the industry of a stable and trained labor force.

4. The Commission's present rules and regulations do not require the submission of any information relating to the status of employees affected by proceedings under section 221 (a) as part of the application for authority under that section. The proposed amendments to the Commission's rules require that applicants provide information to the Com-

mission as to the status of the employees affected by proposed acquisitions or consolidations of telephone properties under section 221 (a) with respect to their occupations, length of service, locations of employment and related matters, and with respect to the effects on such employees of the transaction for which authority is sought. Compliance with the proposed rules will provide the Commission with necessary information respecting one important factor which it must consider in determining, as required by statute, whether approval of acquisitions, or consolidations "will be of advantage to the persons to whom service is to be rendered and in the public interest."

5. The proposed rules are issued under the authority of sections 1 and 221 (a) of the Communications Act of 1934, as amended.

6. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the manner set forth in the Appendix hereto, may file with the Commission on or before June 28, 1948, a statement or brief setting forth his comments. The Commission will consider all such comments that are presented before taking action in the matter, and if any comments are submitted which appear to warrant the holding of oral argument, notice of time and place of oral argument will be given.

7. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: May 12, 1948.

Released: May 13, 1948.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

1. Renumber existing subparagraphs (11) and (12) of § 1.527 (a) as subparagraphs (13) and (14) thereof, respectively, and add new subparagraphs (11) and (12) as follows:

(11) A complete statement as to the manner in which the employees of each party who are affected by the proposed transaction are proposed to be treated with respect to any pension or benefit plans which each party may have in effect;

(12) A complete statement as to the treatment proposed to be accorded to the employees of each party who are affected by the proposed transaction including, but not limited to, their terms of employment, wages, hours of work, job assignments, seniority, locations of work, and other conditions of employment.

2. Renumber subparagraph (7) of § 1.527 (b) as subparagraph (10) thereof, and add new subparagraphs (7), (8) and (9) as follows:

(7) Copies of any pension or benefit plans which are referred to in statement supplied pursuant to subparagraph (11) of § 1.527 (a), of any company which is a party to the proposed transaction;

(8) Table showing, for each company which is a party to the proposed transac-

tion and which employs more than 25 full time employees in the area or areas served by the properties involved in the transaction, the number of employees in each job classification, their length of service in months, their wage rates, and their locations of employment; for any company which is a party to the transaction but which employs 25 or fewer full time employees in the area or areas served by the properties involved in the transaction, a list, showing for each employee by name, the job classification, length of service in months, wage rate and location of employment;

(9) A complete statement describing any change in the status of any employee of any of the parties to the proposed transaction, with respect to employment, job classification, wages, location, or any other condition of employment, which will result from the proposed transaction.

[F. R. Doc. 48-4551; Filed, May 19, 1948;
8:57 a. m.]

[47 CFR, Part 21]

[Docket No. 8955]

ALLOCATION OF FREQUENCIES BETWEEN 25 AND 30 Mc.

NOTICE OF ERRATUM

The notice of proposed rule making in the above entitled proceeding (13 F. R. 2588) should be corrected as follows: Appendix A, footnote 1, line 1, change the expression "27.12 kc" to read "27.12 Mc".

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4552; Filed, May 19, 1948;
8:57 a. m.]

[47 CFR, Part 31]

[Docket No. 8935]

REVISED TENTATIVE ALLOCATION PLAN FOR CLASS B FM BROADCAST STATIONS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Revised Tentative Allocation Plan for Class B FM Broadcast Stations to delete Channel No. 274 from Sumter, South Carolina, and to add Channel No. 274 to Florence, South Carolina.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations to the extent that Channel No. 274 will be deleted from allocation to Sumter, South Carolina and allocated to Florence, South Carolina for the purpose of providing for a more equitable and efficient utilization of FM frequencies.

3. Authority for the adoption of the proposed amendment is contained in sections 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein, may

file with the Commission, on or before June 2, 1948, a written statement or brief setting forth his comments. The Commission will consider all comments that are received before taking final action in the matter, and if any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: May 12, 1948.

Released: May 14, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4550; Filed, May 19, 1948;
8:56 a. m.]

[47 CFR, Part 31]

[Docket No. 8978]

RADIO BROADCAST SERVICES

NOTICE OF PROPOSED RULE MAKING

In the matter of proposed changes in F. C. C. Forms 301, Application For Authority to Construct a New Broadcast Station or Make Changes in an Existing Broadcast Station, 302, Application For New Broadcast Station License, 303, Application For Renewal of Broadcast Station License, 313, Application For Authorization in the Auxiliary Radio Broadcast Services, 314, Application For Consent to Assignment of Radio Broadcast Station Construction Permit or License, 315, Application For Consent to Transfer of Control of Corporation Holding Radio Broadcast Station Construction Permit or License, 321 Application For Construction Permit to Replace Expired Permit, and 701, Application For Additional Time to Construct Radio Station; and amendment of §§ 3.46, 3.182 and 3.254 of the Commission's rules and regulations.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The detailed changes involved are set forth below.

3. The proposed revisions of forms and amendments of the Commission's rules and regulations are issued pursuant to authority contained in sections 303 (e), 303 (j) 303 (r) and 308 (b) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed forms and amendments of the rules and regulations should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before May 31, 1948 a written statement or brief setting forth his comments. The Commission will consider these written comments and if comments are submitted which appear to warrant the Commission's holding an oral argument, notice of time and place of such oral argument will be given.

5. An original and three copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: May 12, 1948.

Released: May 14, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Proposed changes in FCC Forms 301, 302, 303, 313, 314, 315, 321, and 701.

1. Form 301.

A. Section I, Paragraph C of Instructions, add the following sentence: "Date each exhibit and each antenna pattern."

Paragraph E of Instructions, add the following phrase after the word "Commission" in the second line: "(except that called for in Section V-G)" In the same paragraph, strike the remainder of the paragraph after the first "application" in the twelfth line and substitute the following: "all information, confidential or otherwise, contained in the application or other form referred to. The incorporated application or other form will thereafter, in its entirety, be open to the public."

Paragraph 1, add "Channel No."

Paragraph 2a, add "Channel No."

Paragraph 2b, add additional sentence within parentheses in the first paragraph to read as follows: "Section IV not required for applications for minor changes not involving change in power, change in frequency, change in hours of operation, or moving from city to city)" Paragraph 2b, add "Paragraph No." after "Section No." in the tenth line.

B. Section II, Instructions:

Add another sentence after the word "applicant." in the seventh line to read as follows: "In case of an application for assignment or transfer, Section II should be completed only for the assignee or transferee, showing the ownership as it will be after the assignment or transfer has taken place." Substitute the following for the present language of the Note of the Instructions: "If the applicant considers that to furnish a complete answer to the paragraphs referred to would be an unreasonable burden, it may request the Commission for a waiver of the strict terms of this requirement)"

Paragraph 10c, substitute the word "application" for the word "proceeding" in the first line.

Paragraph 10e, substitute the following for the present language of the paragraph: "Is there now pending in any court or administrative body against the applicant or any party to this application any action involving any of the matters referred to in paragraphs 10a, b, c, and d above."

C. Section III, paragraph 1c, add the following sentence to the heading before the colon: "The financial plan should provide for any additional construction costs should the actual cost exceed the original estimated cost, and also for the early operation of the station in the event operating expenses should exceed operating revenues."

Paragraph 2b, strike the words "before and" after the first comma in the first line.

Paragraph 4c, add the words "current and liquid" after the word "containing" in the third line.

Paragraph 4e, strike the words "before and" after the words "Net income" in the first line.

D. Section IV Instructions, combine Instructions 1 and 3 as number 1 and to read as follows: "Both parts of this section are to be completed by all applicants except that Television applicants are to answer only paragraphs 9, 10, 11 and 12."

Renumber Instructions 4 and 5 as Instructions 3 and 4, respectively. Instruction 5, omit the words "and 5" in the first line and insert the word "and" before the figure "4" in the same line.

Paragraph 1b, add the word "licensee," at the end of the first line.

Paragraph 2a, strike the word "combined" within the parentheses in the third line. Strike the column headings "Commercial, Sustaining (in percentages)" eliminate one column of lines, leaving only the one column and insert a "%" sign at the end of each line and add "100%" at the bottom of the column.

Paragraph 2b, strike the word "Combined" within the parentheses in the third line. Strike the column headings "Commercial, Sustaining (in percentages)" eliminate one column of lines, leaving only the one column and insert a "%" sign at the end of each line and add "100%" at the bottom of the column.

Paragraph 5, strike this paragraph and renumber succeeding paragraphs accordingly.

Paragraph 6, strike the words "operating and" in the second line.

Paragraph 8, page 4, substitute the following for the present language of the second sentence: "Promotional announcements for non-commercial programs, participating announcements, etc., should not be classified as noncommercial but as spot announcements. Promotional announcements for sustaining programs should not be classified as spot announcements but should be classified as non-commercial spot announcements."

E. Section V-A, paragraph 1, add another subparagraph to read as follows: "If this application is not for a new station, summarize briefly the nature of the changes proposed."

Paragraph 3, add the following after the word "Antenna" in the first line: "system, including ground or counterpoise." Add the following to the fourth line: "or using the same pattern with different powers." Substitute the following for the present language of the last section of this paragraph: "If the antenna system is not fully described above, give further details and dimensions including any high frequency antennas mounted on tower and associated isolation circuits as Exhibit No. --- (See sections 3 and 5 of the Standards of Good Engineering Practice Concerning Standard Broadcast Stations)" Add another subparagraph to paragraph 3 to read as follows: "Submit as Exhibit No. --- a plot of the transmitter site showing boundary lines, and roads, railroads, or other obstructions, and also showing layout of the ground system or counterpoise. Show number and dimensions of ground radials or if

a counterpoise is used, show height and dimensions."

Paragraph 4, strike the words "copies of" in the third line of the last section.

Paragraph 7 (a) insert the word "antenna" after the word "Proposed"

Paragraph 7 (b), strike the words "surrounding area" and substitute therefor the following: "city or metropolitan district" in the first line of this subparagraph.

Paragraph 7 (c) strike the rest of the sentence after the word "thereof" in the third line.

Paragraph 7 (d) substitute the following for the present language: "Transmitter location and call letters of all radio stations (except amateur) and the location of established commercial and government receiving stations within 2 miles of the proposed transmitter location except that call letters and locations of broadcast stations, including FM and television, within 5 miles must be shown."

Paragraph 8, add the following to this paragraph: "Ordinary photographs will be accepted if they clearly show the terrain to the 250 mv/m contour and are taken in at least eight directions from the site."

Paragraph 9, replace completely by the following: "Attach as Exhibit Number _____ map or maps (same map or maps supplied for paragraph 7 may be used) having reasonable scales showing the following:

NOTE: See Standards of Good Engineering Practice Concerning Standard Broadcast Stations and where involved, metropolitan districts according to the latest Census of the Commerce Department shall be outlined on the maps.

(a) The 500, 250, 25, 5 and 2 mv/m contours, both existing and as proposed by the application for both day and night operation;

NOTE: The 2 mv/m nighttime contour need not be supplied if service is not rendered thereto.

(b) The normally protected contours of the station both existing and as proposed by the application for both day and night operation. When the application includes 1 kilowatt nighttime operation on a regional channel both the 2.5 and 4.0 mv/m contours should be supplied;

(c) The interference-free contours of the station both existing and as proposed by the application, for both day and night operation (including nighttime computed RSS for a Class IV station) if the station would be limited inside its normally protected contours by any other station or stations;

(d) The present normally protected and interference-free contours for both day and night operation of each station to which objectionable interference will be caused (without regard to this interference from the station as proposed by the application)

(e) The resulting interference-free contours of the stations in (d) above, considering the interference from the operation of the station as proposed by the application;

Paragraph 10, add the following before the comma and after the word "conductivities" in the first line: "(As well

as the basis therefor and the method of evaluation over the terrain involved)"

Paragraph 11, replace the entire paragraph by the following:

Areas and populations:

NOTE: See the Standards of Good Engineering Practice Concerning Standard Broadcast Stations. All towns and cities having populations in excess of those given in Table II of Section I of the Standards of Good Engineering Practice are not to be included in the tabulation of populations within the service contours. The 1940 or latest Census Minor Civil Division maps are to be used in making population counts, subtracting any towns or cities not receiving adequate service, and where contours cut a minor division assuming a uniform distribution of population within the division, to determine the population included in the contours unless a more accurate count is made.

Attach as Exhibit No. _____ tables of the areas and populations within the contours included in paragraph 9 above. When applicable, include that area and population within the metropolitan district encompassed by the 2 mv/m daytime and interference-free nighttime contours.

Paragraph 12, delete entirely and replace by: "Attach as Exhibit Number _____ a statement giving the basis for the above areas and populations."

Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

F. Section V-B, add another subparagraph to read as follows: "If this application is not for a new station, summarize briefly the nature of the changes proposed."

Paragraph 3 (a), second subparagraph, strike the word "datum" in the fourth line. Strike the word "level" in the second line of third subparagraph.

Paragraph 4, strike the words "copies of" in the third line of the last section.

Paragraph 9, strike the word "with" in the fourth line.

Paragraph 12, strike the letter "t" in the word "proposed" in the third line.

Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

G. Section V-C, add another subparagraph to read as follows: "If this application is not for a new station, summarize briefly the nature of the changes proposed."

Paragraph 3 (a), second subparagraph, strike the word "datum" in the fourth line. Strike the word "level" in the second line of third subparagraph.

Paragraph 4, strike the words, "copies of" in the third line of the last section.

Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

H. Section V-G, change the requirement as to the number of exhibits to be filed to 5 instead of 4 in the title box. Add the following after the "Address" in

the title box: "where applicant can be reached in person." Add the following instruction directly below the title box: "Since this Section is submitted to the Civil Aeronautics Administration for clearance in connection with obstructions to airways, it is necessary that all the data called for be supplied. Previously filed data must not be incorporated by reference."

Paragraph 1, add the following after the word "system" in the first line of the last subparagraph: "(including ground)" Strike the word "civil" in the fourth line of the last subparagraph.

Paragraph 3, add the following to the title: "(height figures should not include obstruction lighting)" Insert the word "Tower" on the same line with the numbers 1, 2, 3, etc. directly above the line "Height of radiating elements"

Signature line, change the word "person" to "engineer"

2. Form 302:

A. Section I, Paragraph C of Instructions, add the following sentence: "Date each exhibit and each antenna pattern."

Paragraph 1, add "Channel No."

Paragraph 5, add the letter "a" in parentheses before the word "Attach" in the first line. Insert a new subparagraph (b) before the parentheses in the second line to read as follows:

(b) If the actual cost of construction materially exceeds the original estimated cost of construction, attach as Exhibit No. _____ a detailed statement showing the plan used to finance such construction.

Change the words "this exhibit" to read "these exhibits" in the fourth line. Strike first comma in note after the word "station" and before "having." Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

B. Section II-B, Paragraph 1, eliminate the line "Transmitting apparatus installed" and insert the word "installed" after the word "Transmitter" in the next line.

Paragraph 2 (a), strike the word "level" in the second line of the first section. Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

C. Section II-C, Paragraph 1, add "Channel No."

Paragraph 6, page 2, renumber this paragraph as "5" and renumber the succeeding paragraphs accordingly.

Paragraph 8, strike the rest of the paragraph after the first parenthesis in the first line and substitute therefor the language of Paragraph 6 of Section II-B with the following corrections: Insert "9B" for "8 and 13" in the 4th line, and change "75 kilocycles" to "25 kilocycles" in the third line of subsection c.

Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information con-

tained herein has been obtained is attached hereto."

3. Form 303:

A. Section I, Paragraph C of Instructions, add the following sentence: "Date each exhibit and each antenna pattern."

Paragraph 1, add "Channel No." Insert a new subparagraph to read as follows: "Location of main studio: City ----- State -----"

B. Section II, paragraph 1, strike the line "Last radio stage" and add the following to the next line: "Tubes in last radio stage."

Paragraph 6, eliminate the columns "Make" and "Type"

Paragraph 7, eliminate the columns "Make" and "Type" and add a new column to be called "Phase angle in degrees"

Add a new paragraph 10 and renumber the present paragraph 10 as number 11. The new paragraph 10 to read as follows:

(a) Have equipment performance measurements been made within the past four months? Yes or No.

(b) Give date of last measurements.

(c) Do these measurements show the transmitting system performance to be in accordance with the Standards of Good Engineering Practice? Yes or No. (If the answer to either of the above questions is No, attach as Exhibit No. ----- a complete explanation.

Add a new paragraph 12 to read as follows: "Attach as Exhibit No. ----- the original or one exact copy of the transmitter operating logs for the seven days comprising the composite week analyzed in Section IV of the application. If original logs are submitted they will be returned. (For Standard Broadcast Only)"

Add the following to the certification at the end of this form: "This signature may be omitted provided the engineer's original signed report of the data from which the information contained herein has been obtained is attached hereto."

4. Form 313:

Add a new Instruction D and renumber the present Instructions D and E as Instructions E and F. The new Instruction D is to read as follows: "Number exhibits serially in the spaces provided in the body of the form and date each exhibit."

In the box for "Name of Applicant" change the reference to Instruction from D to E.

Paragraph 1b, to be renumbered 1e and to read as follows: "Station or Stations with which station is to be used: Call -----" 1c to be renumbered 1b. 1d to be renumbered 1c and eliminate "File No. -----" 1e to be renumbered 1d and the present language of this subparagraph to be deleted and the following substituted therefor: "Renewal of license Call ----- Have there been any changes since the date of the last authorization? Yes or No. If so, indicate the changes in the appropriate paragraphs in this form."

5. Form 314.

A. Section I. General Instructions, add the following subparagraphs at the end of Instruction C:

Information requested of the assignee in paragraphs 1 and 3 of Section III of this application is not required of an assignee of a licensed station but must be furnished by an assignee of a permittee only.

If an application for assignment of license does not involve a change in ownership, programming, policy, or operations, applicant may on the basis of a statement to that effect request waiver of the requirements to supply information called for by Paragraphs 1 through 11 of Section IV

Add the following to Instruction E: "Date each exhibit."

Paragraph 1, change the fourth box to read "Date of grant" instead of "Date of issue."

In the first line of seventh box change "St" to read "Stl."

Substitute the following for the present language of paragraph 4. "Do you propose to request a tax certificate pursuant to section 112 (m) of the Internal Revenue Code if this proposed assignment is granted? Yes or No. If so, submit as Exhibit No. ----- a brief statement giving the basis for this request."

Substitute the following for the present language of paragraph 7: "Does the assignor, or any partner, officer, director, member of the assignor's governing board, or any stockholder owning 10% or more of the assignor's stock, have any interest in or connection with the following (if so state what interest or connection)"

a. Any standard, FM, or television broadcast station?

b. Any application pending before the Commission?

c. Dismissed and/or denied applications?

Paragraph 11a, change the period to a comma in the third line, add the following: "including also but not limited to trusts, leases, debentures, and any other instruments which affect or concern the assignment (See § 1.342 of the Commission's rules)"

Strike subparagraph c and renumber subparagraph d to c.

Add new paragraph 12 to read as follows: "If publication is required, attach as Exhibit No. ----- copy of proposed notice to be inserted in a local newspaper of general circulation under § 1.321. State date notice will first appear."

Page 3, column three of the Exhibits, add the word "assignor's" before the word "officer" in the first line.

B. Part II, Page 4:

Paragraph 2, strike the complete paragraph, and renumber the succeeding paragraphs accordingly.

Paragraph 3a, strike the first two words "Show here" and insert the following therefor: "Identify by date and names of parties."

Paragraph 4, strike the comma in the third line and add the following "as of the same date of the balance sheet submitted in response to Section III, paragraph 2, of this application."

Paragraph 5a, underline the word "voluntary" in the third line. Add the word "three" at the end of the fourth line. Strike the word "verified" in the fifth line and add the following at the end of

the fifth line: "unless heretofore attached in answer to Paragraph 11a, of Section I hereof."

Paragraph 5b, underline the word "involuntary" in the third line.

Paragraph 6, strike the complete paragraph.

Page 5, column three of the Exhibits, add the word "assignee's" before the word "officer" in the first line.

6. Form 315:

Section I, General Instructions, add the following subparagraphs at the end of Instruction D to read as follows:

Information requested of the transferee in paragraphs 1 and 3 of Section III, of this application is not required of a transferee of a licensed station but must be furnished by a transferee of a permittee only.

If an application for transfer of control does not involve a change in ownership programming, policy, or operations, applicant may on the basis of a statement to that effect request waiver of the requirements to supply information called for by Paragraphs 1 through 11 of Section IV

Instruction F add the following: "Date each exhibit."

Paragraph 1, change the fourth box to read "Date of grant" instead of "Date of issue."

In the first line of seventh box change "St" to read "Stl."

Page 2, under Exhibits at bottom of page, third column, add the word "transferor's" before the word "officer" in the first line.

Page 4, under Exhibits at bottom of page, third column, add the word "licensee's" before the word "officer" in the first line.

Page 6, under Exhibits, third column, add the word "transferee's" before the word "officer" in the first line.

7. Form 321.

Add the following to Instruction C: "Date each exhibit."

Paragraph 2, add "Channel No.

Paragraph 3, add the following to subparagraph 2: "(and additional sheet if necessary)"

8. Form 701. Paragraph 3, add the following to this paragraph: "use back of form)"

9. It is proposed that § 3.46 of the Commission's rules and regulations be amended as follows:

Add a new paragraph (e) to read as follows:

(e) The licensee of each standard broadcast station shall make the following equipment performance measurements at yearly intervals. One such set shall be made during the four-month period preceding the date of filing application for renewal of station license.

(1) Data and curves showing over-all audio frequency response from 30 to 7500 CPS for approximately 25, 50, 85 and 100 (if obtainable) percent modulation. Family of curves should be plotted (one for each percentage above) with DB above and below a reference frequency of 1000 CPS as ordinate and audio frequency as abscissa.

(2) Data and curves showing audio frequency harmonic content for 25, 50,

85 and 100 percent modulation for fundamental frequencies of 50, 100, 400, 1000, 5000, and 7500 CPS (either arithmetical) or root sum square values up to the tenth harmonic or 16000 CPS) Plot family of curves (one for each percentage above) with percent distortion as ordinate and audio frequency as abscissa.

(3) Data showing percentage carrier shift for 25, 50, 85 and 100 percent modulation with 400 CPS tone.

(4) Carrier hum and extraneous noise generated within the equipment and measured as the level below 100 percent modulation throughout the audio spectrum or by bands.

(5) Measurements or evidence showing that spurious radiations including radio frequency harmonics are suppressed or are not present to a degree capable of causing objectionable interference to other radio services. Field intensity measurements are preferred but observations made with a communications type receiver may be accepted. However, in particular cases involving interference or controversy, the Commission may require actual measurements.

Measurements shall be made with the equipment adjusted for normal program operation and shall include all circuits between main studio amplifier input and antenna output including equalizer or correction circuits normally employed, but without compression if such amplifier is employed.

The above data together with a description of instruments and procedure signed by the engineer making the measurements, shall be kept on file at the transmitter and shall be made available upon request to any duly authorized representative of the F. C. C.

10. It is proposed that § 3.254 of the Commission's rules and regulations be amended as follows:

Delete the present language of this section and substitute therefor the following:

§ 3.254 *Required transmitter performance.* The construction, installation, operation and performance of the FM broadcast transmitting system shall be in accordance with the Standards of Good Engineering Practice concerning FM broadcast stations. (Sections 8 and 13) The licensee of each FM broadcast station shall make the following equipment performance measurements at least at yearly intervals. (One such set of measurements shall be made during the four months period preceding the date of

filing application for renewal of station license.)

(a) Audio frequency response from 50 to 15,000 cycles for approximately 25, 50 and 100 percent modulation. Measurements shall be made on at least the following audio frequencies: 50, 100, 400, 1000, 5000, 10,000 and 15,000 cycles. The frequency response measurements should normally be made without deemphasis, however, standard 75 microsecond deemphasis may be employed in the measuring equipment or system provided the accuracy of the deemphasis circuit is sufficient to insure that the measured response is within the prescribed limits.

(b) Audio frequency harmonic distortion for 25, 50, and 100 percent modulation for the fundamental frequencies of 50, 100, 400, 1000, and 5000 cycles. Audio frequency harmonics for 100 percent modulation for fundamental frequencies of 10,000 and 15,000 cycles. Measurements shall normally include harmonics to 30,000 cycles. The distortion measurements shall be made employing 75 microsecond deemphasis in the measuring equipment or system.

(c) Output noise level (frequency modulation) in the band of 50 to 15,000 cycles in decibels below the audio frequency level representing a frequency swing of 75 kilocycles. The noise measurements shall be made employing 75 microsecond deemphasis in the measuring equipment or system.

(d) Output noise level (amplitude modulation) in the band of 50 to 15,000 cycles in decibels below the level representing 100 percent amplitude modulation. The noise measurements shall be made employing 75 microsecond deemphasis in the measuring equipment or system. All measurements shall be made with the equipment adjusted for normal program operation and shall include all circuits between the main studio microphone terminals and the antenna output, including telephone lines, pre-emphasis circuits and any equalizers employed except for microphones, and without compression if a compression amplifier is installed.

The above data, diagrams and appropriate graphs together with a description of measurement procedures and instruments, signed by the engineer making the measurements, shall be kept on file at the transmitter and shall be made available upon request to any duly authorized representative of the FCC.

11. It is proposed that § 3.182 be amended as follows:

Add the following as a footnote to be numbered Footnote 1 on Page 16:

Attention is called to the fact, however, that application forms for licenses and other authorizations require that certain operating program data be supplied. It is suggested that these application forms be kept in mind in connection with maintenance of station program and operating records.

12. Renumber the present Footnote 1 on Page 16 as Footnote 2.

[F. R. Doc. 43-4548; Filed, May 19, 1948; 8:55 a. m.]

FEDERAL SECURITY AGENCY

Public Health Service

[42 CFR, Part 72]

INTERSTATE QUARANTINE

NOTICE OF PROPOSED RULE-MAKING

Notice is hereby given that the Surgeon General of the Public Health Service, with the approval of the Federal Security Administrator, proposes to amend the Interstate Quarantine Regulations contained in Part 72, Title 42, Code of Federal Regulations. In this connection, a hearing will be held in Room 5024, Federal Security Building South, Third and C Streets, SW., Washington 25, D. C., on June 15, 1948, beginning at 10:00 a. m., at which interested persons will have an opportunity to present their views. Persons not desiring to appear personally may submit a written statement of their views or arguments prior to the date of the hearing.

The proposed amendment would add to the present provisions of § 72.165 (c) the language as set forth below in brackets. With this change, § 72.165 (c) would read as follows:

All milk products, including reconstituted milk, buttermilk, milk beverages, frozen desserts, butter, and cheese (other than Swiss, Roquefort, Gorgonzola, and blue mold cheeses) shall be pasteurized or manufactured from milk or milk products that have been pasteurized or subjected to equivalent heat treatment.

Dated: May 12, 1948.

[SEAL] LEONARD A. SCHEELE,
Surgeon General.

Approved: May 17, 1948.

J. DONALD KINGSLEY,
Acting Federal Security
Administrator.

[F. R. Doc. 48-4529; Filed, May 19, 1948; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[13142]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 10, 1948.

In an exchange of lands made under the provisions of section 8 of the act of

June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on July 12, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from July 12, 1948, to October 11, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 632a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-

NOTICES

283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 22, 1948, to July 12, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 12, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 22, 1948, to October 12, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Billings, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Billings, Montana.

The lands affected by this order are described as follows:

PRINCIPAL MERIDIAN

T. 14 N., R. 37 E.,
Secs. 1, 5, and 7.

The area described contains 1,916.44 acres. Available data indicates that the above-described lands consist of rolling hills and the soils are generally gumbo

and sandy clay. The lands are in Montana Grazing District No. 2, established July 11, 1935.

ROSCOE E. BELL,
Assistant Director

[F. R. Doc. 48-4509; Filed, May 19, 1948;
8:46 a. m.]

[13143]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 10, 1948.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on July 12, 1948, the lands shall, subject to valid existing rights and provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from July 12, 1948, to October 11, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 22, 1948, to July 12, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 12, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 22, 1948, to October 12, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval

service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Great Falls, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the District Land Office at Great Falls, Montana.

The lands affected by this order are described as follows:

PRINCIPAL MERIDIAN

T. 21 N., R. 28 E., sec. 32, SE¼.
T. 33 N., R. 28 E., sec. 23, E½SE¼.

The areas described contain 240 acres.

The land in T. 21 N., R. 25 E., varies from slightly rolling to rough broken hills cut by numerous coulees. Vegetation consists principally of a fair stand of bluestem and grama grass. The land is in Montana Grazing District No. 6, established October 4, 1939.

The land in T. 33 N., R. 28 E., is gently rolling, cut by small gullies, and has sandy clay loam soil with considerable gravel and stone. The land is in Montana Grazing District No. 1, established July 11, 1935.

ROSCOE E. BELL,
Assistant Director.

[F. R. Doc. 48-4510; Filed, May 19, 1948;
8:46 a. m.]

[13145]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 10, 1948.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on July 12, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from July 12, 1948, to October 11, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a),

as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 22, 1948, to July 12, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 12, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 22, 1948, to October 12, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Denver, Colorado, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the District Land Office at Denver, Colorado.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 43 N., R. 17 W.,
Sec. 10, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 15, SE $\frac{1}{4}$.

No. 99—3

The area described contains 240 acres. The land is situated in a rather broad valley drained by Disappointment Creek. The surface of the land is gently rolling, and the sandy to silty soil supports a fair growth of native forage grasses, weed annuals, and sagebrush. There is no timber or water on the land. The land is in Colorado Grazing District No. 4, established April 8, 1935.

ROSCOE E. BELL,
Assistant Director

[F. R. Doc. 48-4511; Filed, May 19, 1948;
8:46 a. m.]

[13148]

OREGON

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MAY 10, 1948.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U. S. C. sec. 315g) the lands hereinafter described have been reconveyed to the United States.

At 10:00 a. m. on July 12, 1948, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from July 12, 1948, to October 11, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. Sup. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from June 22, 1948, to July 12, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on July 12, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on October 12, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from September 22, 1948, to

October 12, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on October 12, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Lakeview, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Lakeview, Oregon.

The lands affected by this order are described as follows:

WILLAMETTE MERIDIAN

T. 39 S., R. 23 E.,
Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$,
T. 41 S., R. 14 E.,
Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 13, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described contain 240 acres. Available data indicate that the land ranges from level to gently sloping. The vegetation consists of various types of native grasses and is valuable chiefly for grazing purposes.

The land in T. 39 S., R. 23 E., is embraced in Oregon Grazing District No. 2, established July 9, 1935; the land in T. 41 S., R. 14 E., is in Oregon Grazing District No. 1, established April 8, 1935.

ROSCOE E. BELL,
Assistant Director.

[F. R. Doc. 48-4512; Filed, May 19, 1948;
8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned

under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued; industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Regulations, Part 522, Regulations Applicable to the Employment of Learners (*supra*)

Borinquen Artificial Flower Co., Naranjito, Puerto Rico; to employ 100 learners in the artificial flower manufacturing industry to manufacture by hand artificial flowers for a learning period not exceeding 200 hours at rates not less than 75% of the applicable minimum rate of pay. This certificate is effective May 5, 1948 and expires November 4, 1948.

Haskins Plastics Corp., Curabo, Puerto Rico; to employ 35 learners in the plastic toys industry in the occupation of plastic moulder (including the following operations: handling of injection moulding machine, assembling, examining and painting) at not less than 27¢ an hour for a learning period not exceeding 320 hours. This certificate is effective April 1, 1948 and expires May 31, 1948.

Manati Pearl Works, Inc., Manati, Puerto Rico; to employ 186 learners in the pearl button industry, as follows: 75 learners in the occupation of cutters for a learning period not exceeding 640 hours; 12 learners in the occupation of belt grinders for a learning period not exceeding 200 hours; 12 learners in the occupation of Barry machine operators for a learning period not exceeding 200 hours; 12 learners in the occupation of convex grinders for a learning period not exceeding 200 hours; 18 learners in the occupation of hand machine operators for a learning period not exceeding 200 hours; 55 learners in the occupation of hand sorters for a learning period not exceeding 320 hours; and 2 learners in the occupation of polishers for a learning period not exceeding 200 hours. The learners authorized to be employed under this certificate must be paid during their learning periods a rate not less than 75% of the applicable minimum rate of pay. This certificate is effective April 19, 1948 and expires October 19, 1948.

P. R. Shoe & Leather Corp., Ponce, Puerto Rico; to employ 355 learners in the shoe manufacturing industry, as follows: 35 learners in the occupation of cutting; 125 learners in the occupation of stitching; 75 learners in the occupation of making; 10 learners in the occupation of combining; 10 learners in the stock room; 45 learners in the occupation of finishing; 35 learners in the occupation of stockfitting; and 20 learners in the occupation of inspection. The learners are authorized to be employed for a learning period not exceeding 2,080 hours at a rate not less than 22½¢ an hour. This certificate is effective May 6, 1948 and expires May 5, 1949.

The Colette Manufacturing Co., San-turce, Puerto Rico; to employ 10 learners

in the hair net industry, as follows: 6 learners in the occupation of knitting operator at not less than 22¢ an hour for the first 160 hours and not less than 25¢ an hour for the second 160 hours; 2 learners in the occupation of warping operator at not less than 22¢ an hour for the first 400 hours and not less than 25¢ an hour for the second 400 hours; and 2 learners in the occupation of covering elastic operator at not later less than 22¢ an hour for a learning period not exceeding 240 hours. This certificate is effective May 7, 1948 and expires November 6, 1948.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at Washington, D. C., this 12th day of May 1948.

ISABEL FERGUSON,
Authorized Representative
of the Administrator

[F. R. Doc. 48-4506; Filed, May 19, 1948;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 8025]

SEMINOLE BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Seminole Broadcasting Company, Wewoka, Oklahoma, for construction permit. Docket No. 8025; File No. BP-5270.

Whereas, the above-entitled application is scheduled to be heard at Washington, D. C., on May 19, 1948; and

Whereas, on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I-A or I-B frequencies until a decision was announced in the said hearing (Mimeo No. 6630) and

Whereas, the above-entitled application requests the use of 720 kc, 250 watts, daytime only

It is ordered, This 11th day of May 1948, on the Commission's own motion, that the said hearing on the above-entitled application be, and it is hereby,

continued to 10:00 a. m., Friday, July 16, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4561; Filed, May 19, 1948;
8:58 a. m.]

[Docket No. 8044]

JOHN J. DEMPSEY

ORDER CONTINUING HEARING

The Commission having under consideration a petition filed April 30, 1948, by Albuquerque Broadcasting Company (KOB) Albuquerque, New Mexico, requesting a three-month continuance of the hearing now scheduled for May 24, 1948, at Albuquerque, New Mexico, on the petition of John J. Dempsey (Docket No. 8044),

It is ordered, This 7th day of May 1948, that the petition be, and it is hereby, granted; and that the hearing in the above-entitled matter be, and it is hereby, continued to 10:00 a. m., Wednesday, September 1, 1948, at Albuquerque, New Mexico.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4533; Filed, May 19, 1948;
8:51 a. m.]

[Docket No. 8152]

EMPIRE BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Empire Broadcasting Company, Pomona, California, for construction permit. Docket No. 8152; File No. BP-5813.

Whereas, the above-entitled application is scheduled to be heard at Washington, D. C., on May 17, 1948; and

Whereas, on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I-A or I-B frequencies until a decision was announced in the said hearing (Mimeo No. 6630) and

Whereas, the above-entitled application of Empire Broadcasting Company, Pomona, California, requests the use of 680 kc, 1 kw, daytime only

It is ordered, This 4th day of May 1948, on the Commission's own motion, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, July 19, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4534; Filed, May 19, 1948;
8:51 a. m.]

[Docket No. 8167]

WOODWARD BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Woodward Broadcasting Company, Detroit, Michigan, for construction permit. Docket No. 8167; File No. BP-5827.

Whereas, the above-entitled application is scheduled to be heard at Washington, D. C., on May 11, 1948; and

Whereas, on May 9, 1947, the Commission published a notice of proposed rule-making with respect to daytime skywave transmissions of standard broadcast stations (Docket No. 8333) and stated therein that it would defer action on all pending applications requesting daytime or limited time operation on United States I-A or I-B frequencies until a decision was announced in the said hearing (Mimeo No. 6630) and

Whereas, the above-entitled application requests the use of 840 kc, 5 kw power, daytime only, using directional antenna;

It is ordered, This 4th day of May 1948, on the Commission's own motion, that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, July 19, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4535; Filed, May 19, 1948;
8:51 a. m.]

[Docket Nos. 8223, 8495, 8825]

ERIE BROADCASTING CORP. ET AL.

ORDER CONTINUING HEARING

In re applications of Erie Broadcasting Corporation, Buffalo, New York, Docket No. 8495, File No. BP-6206; Concord Broadcasting Corporation, Niagara Falls, New York, Docket No. 8223, File No. BP-5825; The Niagara Falls Gazette Publishing Company (WHLN) Docket No. 8825, File No. 3879; for construction permits.

The Commission having under consideration a petition filed April 22, 1948, by The Niagara Falls Gazette Publishing Company (WHLN) Niagara Falls, New York, requesting a continuance of the consolidated hearing now scheduled for May 3, 1948, at Washington, D. C., on its above-entitled application for construction permit and the above-entitled applications of Erie Broadcasting Corporation and Concord Broadcasting Corporation, until one week after the Commission acts on a petition for reconsideration filed March 16, 1948, by petitioner in the subject proceeding;

It appearing, that on April 29, 1948, the Commission acted on the said petition for reconsideration and denied the request in said petition for a continuance of the subject proceeding until after a decision in the "Clear Channel Hearing"

(Docket No. 6741)

It is ordered, This 30th day of April 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled applications be, and

it is hereby, continued to 10:00 a. m., Monday, May 10, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4557; Filed, May 19, 1948;
8:53 a. m.]

[Docket No. 8272]

CHICAGO FEDERATION OF LABOR (WCFL)

ORDER CONTINUING HEARING

In re application of Chicago Federation of Labor (WCFL) Chicago, Illinois, for modification of construction permit. File No. BMP-2486; Docket No. 8272.

Whereas, the above-entitled application of Chicago Federation of Labor (WCFL) Chicago, Illinois, is scheduled to be heard on May 5, 1948, at Washington, D. C., and

Whereas, there is pending a petition for reconsideration and grant without hearing filed January 9, 1948, by the said applicant;

It is ordered, This 30th day of April 1948, on the Commission's own motion, that the said hearing on the above-entitled application of Chicago Federation of Labor (WCFL) be, and it is hereby, continued to 10:00 a. m., Thursday, June 3, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4558; Filed May 19, 1948;
8:53 a. m.]

[Docket Nos. 8276, 8277]

COCONINO BROADCASTING CO. AND GRAND CANYON BROADCASTING CO. (KWRZ)

ORDER CONTINUING HEARING

In re application of Coconino Broadcasting Company, Flagstaff, Arizona, Docket No. 8276, File No. BP-5667; James L. Stapleton, Jessie Martin, and Duard K. Nowlin, d/b as Grand Canyon Broadcasting Company (KWRZ) Flagstaff, Arizona, Docket No. 8277, File No. BP-6004; for construction permits.

The Commission having under consideration a petition filed April 23, 1948, by Coconino Broadcasting Company, Flagstaff, Arizona, requesting a continuance of 20 days of the consolidated hearing now scheduled for May 3, 1948, at Washington, D. C., on the above-entitled applications for construction permits;

It is ordered, This 30th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Tuesday, May 18, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4555; Filed, May 19, 1948;
8:58 a. m.]

[Docket No. 8369]

KRGV, Inc.

ORDER CONTINUING HEARING

In re application of KRGV, Inc. (KRGV) Weslaco, Texas, for construction permit. Docket No. 8369; File No. BP-5734.

The Commission having under consideration a petition filed April 29, 1948, by KRGV, Inc. (KRGV) Weslaco, Texas, requesting a continuance of the hearing now scheduled on its above-entitled application for construction permit;

It is ordered, This 7th day of May 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to 10:00 a. m., Wednesday, July 14, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4532; Filed, May 19, 1948;
8:51 a. m.]

[Docket No. 8374]

KXRO, Inc.

ORDER CONTINUING HEARING

In re application of KXRO, Incorporated (KXRO) Aberdeen, Washington, for construction permit. Docket No. 8374; File No. BP-5568.

Whereas, the above-entitled application of KXRO, Incorporated (KXRO) Aberdeen, Washington, is scheduled to be heard on May 3, 1948, at Washington, D. C., and

Whereas, there is pending a petition for reconsideration and grant without hearing filed June 24, 1947, by the said applicant;

It is ordered, This 30th day of April 1948, on the Commission's own motion, that the said hearing on the above-entitled application of KXRO, Incorporated (KXRO) be, and it is hereby, continued to 10:00 a. m., Tuesday, June 1, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.[F. R. Doc. 48-4533; Filed, May 19, 1948;
8:53 a. m.]

[Docket No. 8391]

ARLINGTON-FAIRFAX BROADCASTING CO., Inc. (WEAM)

ORDER CONTINUING HEARING

In re application of Arlington-Fairfax Broadcasting Company, Inc. (WEAM) Arlington, Virginia, for construction permit. Docket No. 8391; File No. BP-5975.

The Commission having under consideration a petition filed May 4, 1948, by Arlington-Fairfax Broadcasting Company, Inc. (WEAM) Arlington, Virginia, requesting a continuance for thirty days of the hearing now scheduled for May 14, 1948, on its above-entitled application for construction permit;

It is ordered, This 11th day of May 1948, that the petition be, and it is hereby, granted; and that the said hearing be, and it is hereby, continued to June 18, 1948, at Washington; D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4560; Filed, May 19, 1948;
8:58 a. m.]

[Docket No. 8480]

SALT RIVER VALLEY BROADCASTING CO.
(KOY)

ORDER CONTINUING HEARING

In re application of Salt River Valley Broadcasting Company (KOY) Phoenix, Arizona, for construction permit. Docket No. 8480; File No. BP-3733.

The Commission having under consideration a petition filed April 23, 1948, by Salt River Valley Broadcasting Company (KOY) Phoenix, Arizona, requesting a continuance from May 3, 1948, to May 23, 1948, of the hearing now scheduled on its above-entitled application for construction permit;

It is ordered, This 30th day of April 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, May 24, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4556; Filed, May 19, 1948;
8:58 a. m.]

[Docket Nos. 8661, 8662, 8781]

NEW ENGLAND TELEVISION CO., INC., ET AL.

ORDER CONTINUING HEARING

In re applications of New England Television Company, Inc., Fall River, Massachusetts, Docket No. 8661, File No. BPCT-209; Fall River Herald News Publishing Company, Fall River Massachusetts, Docket No. 8781, File No. BPCT-301, E. Anthony & Sons, Inc., New Bedford, Massachusetts, Docket No. 8662, File No. BPCT-217; for construction permits.

Whereas, the above-entitled applications are presently scheduled to be heard in a consolidated proceeding on May 5 and 6, 1948, at Fall River, Massachusetts, and May 7, 1948, at New Bedford, Massachusetts; and

Whereas, the above-entitled applications of New England Television Company, Inc. requests the use of Channel 8 for a Metropolitan station, Fall River Herald News Publishing Company requests the use of Channel 8 for a Community station, and E. Anthony & Sons, Inc. requests the use of Channel 1 for a Community station; Channel 1 only is now assigned to the Fall River-New Bedford, Massachusetts, area for a Community station; and the Commission has proposed to assign to the said area, in

lieu of Channel 1, Channel 8 for a Community station, in the proposed rule making proceeding in Docket No. 8487.

Whereas, the public interest, convenience and necessity would be served by continuing the said hearing on the above-entitled applications until termination of the said proposed rule making proceeding in Docket No. 8487;

It is ordered, This 29th day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, June 21, Tuesday, June 22, 1948, at Fall River, Massachusetts, and Wednesday, June 23, 1948, at New Bedford, Massachusetts.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4553; Filed, May 19, 1948;
8:57 a. m.]

[Docket Nos. 8679, 8680]

LOUIS G. BALTIMORE AND WYOMING
VALLEY BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Louis G. Baltimore, Wilkes-Barre, Pennsylvania, Docket No. 8679, File No. BPCT-134; Wyoming Valley Broadcasting Company, Wilkes-Barre, Pennsylvania, Docket No. 8680, File No. BPCT-231, for construction permits.

Whereas, the above-entitled applications are presently scheduled to be heard at Wilkes-Barre, Pennsylvania, on May 3, 1948; and

Whereas, both of the above-entitled applications requests the use of Channel 11 for a Metropolitan station, Channel 11, Metropolitan, and Channel 1, Community, are now assigned to the Scranton-Wilkes-Barre, Pennsylvania, area; and the Commission has proposed to assign to the said area Channels 11 and 3, Metropolitan, in lieu of Channels 11 and 1, in the proposed rule making proceeding in Docket No. 8487; and

Whereas, the public interest, convenience and necessity would be served by continuing the said hearing on the above-entitled applications until termination of the said Proposed Rule Making proceeding in Docket No. 8487;

It is ordered, This 29th day of April 1948, that the said hearing on the above-entitled applications be, and it is hereby, continued to Thursday, June 3, and Friday, June 4, 1948, at Wilkes-Barre, Pennsylvania.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4554; Filed, May 19, 1948;
8:58 a. m.]

[Docket Nos. 8765-8768]

A. FRANK KATZENTINE ET AL.

ORDER CONTINUING HEARING

In re applications of A. Frank Katzentine, Miami Beach, Florida, Docket No. 8765, File No. BPCT-127; Miami Broad-

casting Company, Miami, Florida, Docket No. 8766, File No. BPCT-218; The Fort Industry Company, Miami, Florida, Docket No. 8767, File No. BPCT-228; Isle of Dreams Broadcasting Corporation, Miami, Florida, Docket No. 8768, File No. BPCT-237; for construction permits.

The Commission having under consideration a joint petition filed April 28, 1948, by A. Frank Katzentine, Miami Beach, Florida, Miami Broadcasting Company, Miami, Florida, and Isle of Dreams Broadcasting Corporation, Miami, Florida, requesting a continuance to June 24, 1948, of the consolidated hearing now scheduled for May 17, 1948, on the above entitled applications for construction permits;

It is ordered, This 11th day of May 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Thursday, June 24, 1948, at Miami, Florida.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4562; Filed, May 19, 1948;
8:58 a. m.]

[Docket No. 8864]

STATION KICD

ORDER DESIGNATING APPLICATION FOR HEARING

In the matter of the revocation of license of Station KICD, Spencer, Iowa. Docket No. 8864.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 6th day of May 1948;

The Commission having under consideration the written application filed pursuant to section 312 (a) of the Communications Act of 1934, as amended, by Iowa Great Lakes Broadcasting Company, licensee of Station KICD, and by Ben B. Sanders, president and majority stockholder of licensee, requesting hearing in the above-entitled matter;

It is ordered, That, pursuant to section 312 (a) of the Communications Act of 1934, as amended, the above-entitled matter be, and it is hereby designated for hearing on all matters pertinent to the Commission's order of revocation dated March 25, 1948, said hearing to be held at Spencer, Iowa, on a date to be subsequently specified.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4530; Filed, May 19, 1948;
8:51 a. m.]

[Docket Nos. 8949, 8950]

FARMERS & BANKERS BROADCASTING CORP.
(KFBI) ET AL.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Farmers & Bankers Broadcasting Corporation (KFBI) WI-

chita, Kansas, assignor, KFBI, Inc., original assignee, File No. BAL-653, Docket No. 8949, and John R. Griffith, Ewart Mills et al., competing assignee, File No. BAL-668, Docket No. 8950; for assignment of license of standard broadcast station KFBI, Wichita, Kansas.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 6th day of May 1948;

The Commission having under consideration the above entitled application requesting consent to assign the license of standard broadcast station KFBI, Wichita, Kansas, from the Farmers and Bankers Broadcasting Company to KFBI, Inc., and the competing application for consent to assign the license of station KFBI to John R. Griffith, Ewart Mills, and various unnamed employees of station KFBI, Wichita, Kansas;

It is ordered, That pursuant to section 310 (b) of the Communications Act of 1934, as amended, the said applications be, and they are hereby designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine whether the proposed transferees are legally, technically, financially, and otherwise qualified to own or control and to operate radio station KFBI, Wichita, Kansas.

2. To determine how and in what manner and by whom each of the proposed assignees would be controlled.

3. To determine the full contract arrangement or agreement of sale either presently made or to be made by each of the proposed assignees with the present licensee, including the price and the manner of payment and the properties to be received therefor.

4. To secure full information as to the plans of each of the proposed assignees for staffing the station, its plans with respect to the station's programming, and all other plans or arrangements for operating the station.

5. To determine the interests of each of the proposed assignees, or the individuals interested therein, in other broadcasting facilities, whether there would be any overlapping in service between station KFBI and any such other broadcasting stations, and, if so, whether such overlapping is in violation of § 3.35 of the Commission's rules and regulations.

6. To determine the interests of each of the proposed assignees, or the individuals interested therein, in newspapers having a substantial circulation within the service area of station KFBI, and whether a grant of consent to assign the license of KFBI to such proposed assignee would result in concentration of control of the media for mass communications in the region served by station KFBI.

7. To determine the interests held in the past by individuals interested in each of the proposed assignees in other broadcast facilities, the circumstances leading to their disposal of such interests, whether their activities in connection with the acquisition and disposal of such interests involved the trafficking in frequencies or licensed privileges and whether in the light of such transac-

tions they are qualified to own, operate or participate in the ownership and operation of radio station KFBI, Wichita, Kansas.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4531; Filed, May 19, 1948;
8:51 a. m.]

ELBERTON BROADCASTING CO. (STATION WSGC)

NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on May 6, 1948 there was filed with it an application (BTC-642) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Elberton Broadcasting Company, Station WSGC, Elberton, Georgia, from Harry G. Thornton to Gradus T. Christian. The proposal to transfer control arises out of a contract of March 29, 1948 pursuant to which Harry G. Thornton proposed to sell to Gradus T. Christian all of his 60 shares of common voting stock in Elberton Broadcasting Company for a total consideration of \$7,750 to be paid in cash upon Commission approval. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 6, 1948 that starting on May 7, 1948 notice of the filing of the application would be inserted in a local paper as well as in a daily paper published in Athens, Georgia, but which has substantial circulation at Elberton, Georgia, as contemplated by the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from May 7, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1036; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4563; Filed, May 19, 1948;
8:58 a. m.]

EASTERN BROADCASTING CORP.

NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL¹

The Commission hereby gives notice that on May 7, 1948 there was filed with it

¹Section 1.321, Part 1, Rules of Practice and Procedure.

an application (BTC-643) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Eastern Broadcasting Corporation licensee of Station WHYU, Newport News, Virginia from J. A. Gill, S. A. Twiford and E. P. Leary to John Doley, Margaret S. Doley, C. Archer Smith and Stuart A. Smith. The proposal to transfer control arises out of a contract of March 26, 1948 pursuant to which the above indicated sellers propose to sell to John Doley all of their 350 shares of common voting stock of the licensee for a total consideration of \$60,000, of which amount \$30,000 is to be paid upon Commission approval of the application. The deferred amount is to bear 4% interest and is to be payable 50% at the end of one year from date of transfer and the balance within two years from said date of transfer. The contract indicates that 58½ shares constituting the holdings of E. P. Leary are involved in bankruptcy proceedings. If sellers are unable to deliver said 58½ shares they agree to deliver the remaining 291½ shares for which the purchase price shall be reduced pro-rata. Buyer is to deposit \$10,000 with sellers. Sellers agree to have extended a \$5,000 note payable to First and Citizens National Bank of Elizabeth City, North Carolina. Buyer agrees, on completion of the transfer, to pay to sellers a \$5,000 note of the company to the order of sellers. Buyer agrees to secure a release of Gill as indorser on a \$6,000 note made by Edd Harris payable to Citizens Marine Jefferson Bank, Newport News, Virginia.

On April 17, 1948 said John Doley assigned to Margaret S. Doley rights indicated in the above contract to buy 50 shares; to C. Archer Smith the right to buy 120 shares; and to Stuart A. Smith the right to buy 70 shares upon the conditions shown in the above contract. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 7, 1948 that starting on May 11, 1948 notice of the filing of the application would be inserted in The Daily Press a newspaper of general circulation at Newport News, Virginia in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from May 11, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1036; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4534; Filed, May 19, 1948;
8:59 a. m.]

KBUN

NOTICE CONCERNING PROPOSED ASSIGNMENT OF LICENSE¹

The Commission hereby gives notice that on May 4, 1948 there was filed with it an application (BAL-729) for its consent under section 310 (b) of the Communications Act to the proposed assignment of license of AM station KBUN, Bemidji, Minnesota, from Rupert W. Bradford and Harry F. Pihl, partners, doing business as Bradford and Pihl, to Butler Broadcasting Company, Inc., Bemidji, Minnesota. The proposal to assign the license arises out of a contract of February 21, 1948 between said parties and assignee pursuant to which the station, goodwill, properties, including leases and contracts with others (but excluding and reserving to the owners accounts receivable as of the final date of transfer) would be sold for a total of \$60,000 in cash. Of this amount \$26,500 was deposited in escrow upon the making of the agreement and \$7,000 is to be paid in cash by March 1, 1948 and the balance of the consideration on or before April 1, 1948. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant on May 4, 1948 that starting on May 5, 1948 notice of the filing of the application would be inserted in The Bemidji Daily Pioneer, a newspaper of general circulation at Bemidji, Minnesota in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from May 5, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-4565; Filed, May 19, 1948; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1036]

REVERE NATURAL GAS CO.

NOTICE OF APPLICATION

MAY 14, 1948.

Notice is hereby given that on February 9, 1948, Revere Natural Gas Company (Applicant) a Pennsylvania corporation with its principal office in the town of Jefferson, Greene County Pennsylvania, filed an application with the Commission pursuant to section 7 (a) of the Natural

Gas Act, as amended, requiring Texas Eastern Transmission Corporation (Texas Eastern) to establish a physical connection of its interstate natural-gas transmission facilities with the facilities of Applicant and to sell natural gas to Applicant at the point of intersection near Jefferson, Greene County, Pennsylvania.

Applicant recites that it renders distribution service of natural gas to approximately 700 customers in four municipalities in Greene County, Pennsylvania. Applicant estimates its peak day natural-gas requirements at approximately 250 Mcf. Applicant states its local source of supply of natural gas is insufficient to meet its peak day requirements, and Applicant seeks approximately 100 Mcf of natural gas per day from Texas Eastern during the months of November through April, inclusive.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of § 1.37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Revere Natural Gas Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of §§ 1.8 or 1.10, whichever is applicable, of the rules of practice and procedure (18 CFR 1.8 or 1.10)

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4525; Filed, May 19, 1948; 8:48 a. m.]

[Docket No. E-6142]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

MAY 18, 1948.

Notice is hereby given that on May 17, 1948, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Montana-Dakota Utilities Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of 150,000 shares of Common Stock, par value of \$5 per share, which will have full voting privileges and will be identical in all respects to the Common Stock of Applicant now outstanding; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 4th day of June, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4628; Filed, May 19, 1948; 11:53 a. m.]

[Docket No. E-6143]

OTTER TAIL POWER CO.

NOTICE OF APPLICATION

MAY 18, 1948.

Notice is hereby given that on May 17, 1948, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Otter Tail Power Company, a corporation organized under the laws of the State of Minnesota and doing business in the States of Minnesota, North Dakota and South Dakota, with its principal business office at Fergus Falls, Minnesota, seeking an order authorizing it to change its authorized Common Shares from 240,000 Common Shares of the par value of \$10 each to 750,000 Common Shares of the par value of \$5 each and to reclassify each of its outstanding 179,255 Common Shares of the par value of \$10 each into two Common Shares of the par value of \$5 each; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 4th day of June, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-4629; Filed, May 19, 1948; 11:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 22 to Corr. Special Directive 1]

PENNSYLVANIA RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 1 (12 F. R. 7950) under Service Order No. 790 (12 F. R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 1, be, and it is hereby amended by changing Appendix A of Amendment No. 21 as follows:

Mine, Cars per Day

Eliminate:	
Lindsey No. 8	1
Lucerne	1

A copy of this amendment shall be served upon The Pennsylvania Railroad Company and notice of this amendment

¹Section 1.321, Part 1, Rules of Practice and Procedure.

shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-4520; Filed, May 19, 1948;
8:47 a. m.]

[S. O. 790, Special Directive 61-A]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 61 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., May 14, 1948.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May, A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-4521; Filed, May 19, 1948;
8:48 a. m.]

[S. O. 790, Special Directive 62-A]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO VACATE ORDER TO FURNISH CARS
FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 62 under Service Order No. 790, be, and it is hereby vacated effective 12:01 a. m., May 14, 1948.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 13th day of May A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-4522; Filed, May 19, 1948;
8:48 a. m.]

[S. O. 790, Special Directive 67]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

On May 12, 1948, the Lehigh and New England Railroad Company, certified that they have on that date in storage and in cars a total supply of 10 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Baltimore and Ohio Railroad Company is directed:

(1) To furnish daily to the mines listed below cars for the loading of Lehigh and New England Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Name of mine:	Cars required for May 1948
Chieftain	30
Donna	
Katherine	
Ashcraft	23
Gregory	
Penn No. 1 and No. 2	
Burke	12
Elk Hill	
Henshaw	20
Francis	12
Barry	

(2) That such car furnished in excess of the mine's distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for the Lehigh and New England Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 14th day of May A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-4523; Filed, May 19, 1948;
8:48 a. m.]

[S. O. 790, Special Directive 63]

MONONGAHELA RAILWAY CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD
COAL SUPPLY

On May 12, 1948, the Lehigh and New England Railroad Company certified that

they have on that date in storage and in cars a total supply of 10 days of fuel coal, and that it is immediately essential that this company increase its coal supply from certain enumerated mines.

The certified statements have been verified and found to be correct.

Therefore, pursuant to the authority vested in me by paragraph (b) of Service Order No. 790, The Monongahela Railway Company is directed:

(1) To furnish during May 1948, to the DL&W Federal #3 mine 12 cars and Koppers Coal Company Federal #3 mine 12 cars for the loading of Lehigh and New England Railroad fuel coal from its total available supply of cars suitable for the transportation of coal.

(2) That such car furnished in excess of the mine's distributive share for the day will not be counted against said mine.

(3) That it shall not accept billing of cars furnished for loading under the provisions of this directive unless billed for Lehigh and New England Railroad fuel coal supply.

(4) To furnish this Bureau, as soon as may be practicable after the end of each week, information showing the total number of cars furnished to said mines for the preceding week under the authority of this directive and to indicate with respect to each mine how many such cars were in excess of the daily distributive share of car supply of such mine.

A copy of this special directive shall be served upon The Monongahela Railway Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 14th day of May, A. D. 1948.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-4524; Filed, May 19, 1948;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1047]

CHICAGO, ROCK ISLAND AND PACIFIC
RAILROAD CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of May A. D. 1948.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the common stock, without par value, of Chicago, Rock Island and Pacific Railroad Company, a security listed and registered on The Chicago Stock Exchange and New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to June 14, 1948, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4516; Filed, May 19, 1948;
8:47 a. m.]

[File No. 70-1362]

**SOUTH CAROLINA ELECTRIC & GAS CO. ET AL.
SUPPLEMENTAL ORDER APPROVING AND PER-
MITTING POST-EFFECTIVE AMENDMENT TO
BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of May A. D. 1948.

In the matter of South Carolina Electric & Gas Company, General Gas & Electric Corporation, Associated Electric Company and General Public Utilities Corporation, File No. 70-1362.

General Public Utilities Corporation ("GPU") a registered holding company, its subsidiaries, Associated Electric Company ("Aelec") and General Gas & Electric Corporation ("Gengas") also registered holding companies, and Gengas' subsidiary, South Carolina Electric & Gas Company ("South Carolina") having filed joint applications-declarations, as amended, pursuant to sections 6 (a) 7, 9 (a) 10 and 12 of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder regarding, among other things, the acquisition under certain conditions by GPU from City Bank Farmers Trust Company, as escrow agent, shares of the common stock of South Carolina, which shares were to be disposed of by GPU within 60 days of acquisition thereof by sale for cash on the New York Stock Exchange; and

The Commission having, by order dated September 26, 1946, granted and permitted said applications-declarations, as amended, to become effective; and

A post-effective amendment having been filed, wherein it is stated that GPU has reacquired from the escrow agent shares of the common stock of South Carolina and still retains 26,833.81 shares thereof, and requesting that the order of September 26, 1946, be modified so as

to permit GPU to sell such shares for cash on the New York Stock Exchange on or before September 15, 1948; and

The Commission having considered such post-effective amendment to the applications-declarations, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve and permit said post-effective amendment to become effective:

It is hereby ordered, That said post-effective amendment be, and the same hereby is, approved and permitted to become effective forthwith so as to permit GPU to sell the 26,833.81 shares of the common stock of South Carolina for cash on the New York Stock Exchange on or before September 15, 1948.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4515; Filed, May 19, 1948;
8:47 a. m.]

[File No. 70-1575]

DERBY GAS & ELECTRIC CORP.

**ORDER RELEASING JURISDICTION OVER CERTAIN
LEGAL FEES**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 13th day of May A. D. 1948.

In the matter of Derby Gas & Electric Corporation, The Derby Gas and Electric Company, The Danbury and Bethel Gas and Electric Light Company and The Wallingford Gas Light Company, File No. 70-1575.

On October 10, 1947, the Commission having entered its Findings, Opinion, and Order wherein it granted and permitted to become effective joint applications and declarations filed pursuant to sections 7, 10 and 12 of the Public Utility Holding Company Act of 1935, by Derby Gas & Electric Corporation ("Derby") a registered holding company and its subsidiaries, The Derby Gas and Electric Company ("Derby of Connecticut") The Danbury and Bethel Gas and Electric Light Company ("Danbury") and The Wallingford Gas Light Company ("Wallingford") regarding the issue and sale by Derby of new debentures in the principal amount of \$5,031,000 and a maximum of 43,610 additional shares of common stock, the retirement of Derby's outstanding debentures, and certain inter-company financing in connection with the construction program of its subsidiary companies; and

The Commission in said findings and opinion having reserved jurisdiction, pending completion of the record, with respect to the legal fees and expenses of Simpson, Thacher & Bartlett, counsel for Derby, and Milbank, Tweed, Hope & Hadley, counsel for the purchaser of said debentures; and

Said counsel having furnished the Commission with information regarding the nature and extent of the services rendered for which fees are requested in the amounts of \$18,500 for Simpson, Thacher & Bartlett and \$6,500 for Milbank, Tweed, Hope & Hadley and

The Commission having examined the records and data submitted in support of these fees and finding that the amounts thereof, under the circumstances of this case, are not unreasonable, and that jurisdiction over such fees should be released;

It is ordered, That the jurisdiction heretofore reserved in our findings, opinion, and order dated October 10, 1947, with respect to the legal fees of Simpson, Thacher & Bartlett and Milbank, Tweed, Hope & Hadley in this matter be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4514; Filed, May 19, 1948;
8:47 a. m.]

[File No. 70-1819]

**MISSISSIPPI POWER & LIGHT CO. AND
ELECTRIC POWER & LIGHT CORP.**

**ORDER GRANTING APPLICATION AND PERMIT-
TING DECLARATION TO BECOME EFFECTIVE
PURSUANT TO RULE U-23**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of May A. D. 1948.

Electric Power & Light Corporation ("Electric") a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and Electric's utility subsidiary, Mississippi Power & Light Company ("Mississippi") having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) 7, 9 (a) 10, 12 (c) and 12 (f) thereof and Rule U-43 thereunder with respect to the following proposed transactions:

Mississippi has outstanding 950,000 shares of common stock, without par value, and with an aggregate stated value of \$9,500,000, all of which are owned by Electric. Mississippi proposes to issue and sell to Electric, and Electric proposes to acquire, an aggregate of 400,000 additional shares of the common stock of Mississippi for a cash consideration of \$4,000,000. The additional stock is to be acquired and paid for by Electric in such amounts within a period of ninety days from the date of issuance of the order herein as Electric shall specify in writing to Mississippi. The application-declaration states that the proceeds from the proposed sale of common stock will be used for the construction of new facilities and the extension and improvement of present facilities.

Applicants-declarants state that there is no State Commission having jurisdiction over the proposed transactions.

The said application-declaration having been filed on April 20, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and the rules thereunder are satisfied, and the Commission observing no basis for adverse findings thereunder; and the Commission deeming it appropriate to grant the request of applicants-declarants that the order herein become effective forthwith upon the issuance thereof:

It is hereby ordered, Pursuant to Rule U-23 and to the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4517; Filed, May 19, 1948;
8:47 a. m.]

[File No. 70-1831]

AMERICAN POWER & LIGHT CO. AND FLORIDA
POWER & LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of May A. D. 1948.

American Power & Light Company ("American") a subsidiary of Electric Bond and Share Company, both registered holding companies, and American's subsidiary, Florida Power & Light Company ("Florida") have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 and have designated section 6 (a) 7, 12 (b) and 12 (f) of the act and Rules U-42, U-45 and U-50 thereunder as applicable to the transactions proposed in said joint application-declaration.

Notice is further given that any interested person may, not later than May 24, 1948 at 11:30 a. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said joint application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C. At any time after 11:30 a. m., e. d. s. t., on May 24, 1948 said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

No. 99-4

(a) American proposes to make a cash contribution to the common stock capital of Florida in the amount of \$4,000,000 on or prior to the date of the sale, hereinafter described, by Florida of its First Mortgage Bonds, --% Series due 1978 ("1978 Bonds") and Florida proposes to add the amount of said contribution to the stated value of its common stock.

(b) Florida proposes to issue and sell at competitive bidding, pursuant to Rule U-50, \$11,000,000 principal amount of its 1978 Bonds. The 1978 Bonds are to be issued under Florida's existing Mortgage and Deed of Trust from Florida to Bankers Trust Company and The Florida National Bank of Jacksonville, Trustees, dated January 1, 1944, as supplemented by the First Supplemental Indenture thereto dated July 1, 1947 and as it will be supplemented by a proposed Second Supplemental Indenture to be dated June 1, 1948.

Florida proposes to use the cash to be received by it as a result of the contribution and of the sale of the 1978 Bonds to finance its 1948 program for expansion and construction of generating plants, transmission lines and distribution facilities, for the improvement and expansion of utility service to the public, and to pay short-term borrowings from banks which presently amount to \$3,000,000 and which, it is estimated, will amount to approximately \$4,000,000 at the time of the proposed sale of the 1978 Bonds.

American requests that the Commission's order herein recite that the proposed cash investment of \$4,000,000 by American through a contribution to the capital of Florida is necessary or appropriate to the integration or simplification of the holding company system, of which American is a member, and necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, all in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereto.

American and Florida request that the Commission's order be entered herein as soon as may be practicable and become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4513; Filed, May 19, 1948;
8:46 a. m.]

[File No. 812-379]

INVESTORS SYNDICATE OF AMERICA, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of May A. D. 1948.

Notice is hereby given that Investors Syndicate, a registered investment company, has filed an application pursuant to the provisions of sections 6 (c) and 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) (3) of said

act certain transactions between Investors Syndicate and persons engaged by it in the offering and sales of securities for which Investors Syndicate is the underwriter.

The transactions as to which Investors Syndicate seeks exemption are the advancing of commissions and the lending of money to its Divisional Managers, District Managers and Sales Representatives whose income is derived from the sales of securities for which the applicant is the underwriter.

The applicant is registered with this Commission as a broker under the provisions of the Securities Exchange Act of 1934. It is the underwriter and distributor of securities issued by Investors Syndicate of America, Inc., a registered face amount certificate company and a wholly-owned subsidiary of Investors Syndicate, and of securities issued by Investors Mutual, Inc., registered management investment companies which were organized and promoted by the applicant and which are affiliated with the latter.

All interested persons are referred to said application and amendments thereto, which are on file at the office of this Commission in Washington, D. C., for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application, subject to the provisions to be stated therein, may be issued by the Commission at any time after the 31st day of May 1948, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than the 27th day of May, 1948, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 2d Street, NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the Application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-4518; Filed, May 19, 1948;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 833, Pub. Laws 322, 671, 79th Cong., 60 Stat. 59, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9183, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9783, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11146]

BUKICHI TABATA ET AL.

In re: Debts owing to Bukichi Tabata, also known as B. Tabata, and others.

F-39-5589-E-1, F-39-5556-E-1, F-39-5555-E-1, F-39-5548-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bukichi Tabata, also known as B. Tabata; Manabu Kunimoto, also known as M. Kunimoto; Shigeyoshi Kohashi, also known as S. Kohashi; and Yoshinori Kataoka, also known as Yoshimori Katooka and as Y. Katooka, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan)

2. That the property described as follows: Those certain debts or other obligations of The Yokohama Specie Bank, Ltd., Los Angeles Office, Los Angeles, California, and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of temporary receipts accounts entitled B. Tabata, M. Kunimoto, S. Kohashi, and Y. Katooka, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 26, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4536; Filed, May 19, 1948; 8:53 a. m.]

[Vesting Order 11166]

AUSSENHANDEL-FINANZIERUNGSGESSELLSCHAFT M. B. H.

In re: Stock and bond owned by Aussenhandel-Finanzierungsgesellschaft M. B. H. F-28-753-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Aussenhandel-Finanzierungsgesellschaft M. B. H., the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set

forth in Exhibit A, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon, and

b. One (1) Siemens & Halske A. G. Siemens-Schuckertwerke A. G. Sinking Fund Debenture Gold 6½s, of \$1000 face value, numbered 14536, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Name and address of issuer	Place of incorporation	Type of stock	Par value	Certificate Nos.	Number of shares	Registered owner
American Radiator & Standard Sanitary Corp., 40 West 40th St., New York 18, N. Y. Chicago Great Western R. R. Co., 209 West Jackson Blvd., Chicago, Ill.	Delaware.....	Common.....	No	CO396179.....	70	Hurley & Co.
	Illinois.....	do.....	\$100	41681.....	2	Bernard Voges, Armin, Gerd, Henry and Margrete Nicolai, as guardian, minor children Ruth and Dorothea Nicolai, as tenants in common.
				37931.....	2	
Kerr Lake Mines, Ltd., 61 Broadway, New York, N. Y. Rock Island Co. National Railways of Mexico, 29 Calle de Bolivar, No. 19, Mexico, D. F.	Ontario, Canada...	Capital.....	4	37932.....	2	Bernhard Nicolai, Werner Nicolai, Julius Rosenberger.
				37933.....	2	
	Mexico.....	Common.....	100	C49936.....	100	Bery F. McGuckin, Hurley & Co. Decoppet & Doremus.
		\$5 noncumulative second preferred.	100	P68763/64.....	(1) 5	
				3317.....		

*10 each.

[F. R. Doc. 48-4537; Filed, May 19, 1948; 8:53 a. m.]

[Vesting Order 11170]

CLARA DORING

In re: Stock and bank account owned by Clara Doring. F-28-25166-A-1, F-28-25166-D-1, F-28-25166-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Clara Doring, whose last known address is Hanau A/Main, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Four (4) shares of \$7.00 par value common capital stock of Libby, McNeill & Libby, Union Stock Yards, Chicago 9, Illinois, a corporation organized under the laws of the State of Maine, evidenced by a certificate numbered CO 53892, reg-

istered in the name of Mrs. Clara Doring, together with all declared and unpaid dividends thereon,

b. All rights in and under that certain deposit certificate of The First National Bank of Chicago, for twelve (12) shares of stock of Compania Swift Internacional S. A. C., Buenos Aires, Argentina, bearing the number 181568, and registered in the name of Mrs. Clara Doring, and

c. That certain debt or other obligation owing to Clara Doring by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of a Blocked Funds Account, numbered TR. 21990, entitled Mrs. Clara Doring, said account representing dividends on capital shares of Compania Swift Internacional, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4538; Filed, May 19, 1948; 8:53 a. m.]

[Return Order 118]

LEONELLO BIAGIOTTI

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,¹

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

¹ Filed as part of the original document.

Claimant and Claim No., Notice of Intention to Return Published, and Property

Leonello Biagiotti, Richmond, Virginia, Claim No. 6434, April 3, 1948 (13 F. R. 1853); \$8,525.68 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4541; Filed, May 19, 1948; 8:53 a. m.]

[Return Order 119]

ANNA ROSENFELD KLEIN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,¹

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention to Return Published, and Property

Anna Rosenfeld Klein, Or, Szabolcs Megye, Hungary, Claim No. 7548, April 6, 1948 (13 F. R. 1889); \$1,229.33 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4542; Filed, May 19, 1948; 8:54 a. m.]

[Return Order 120]

BERTALAN MAGYAR

Having considered the claim set forth below and having issued a determination allowing the claim which is incorporated by reference herein and filed herewith,¹

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant and Claim No., Notice of Intention to Return Published, and Property

Bertalan Magyar, New York, New York, Claim No. 6435, April 6, 1948 (13 F. R. 1883); a one-half interest in property described in Vesting Order No. 201 (8 F. R. 626, January 16, 1943), relating to United States Letters Patent No. 2,225,267.

This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4543; Filed, May 19, 1948; 8:54 a. m.]

[Return Order 93, Amdt.]

I. DEWA ET AL.

Return Order No. 93, dated March 2, 1948, is hereby amended by correcting the names of claimants to read as follows:

Claim No.	Names of claimants
7019-----	I. Dewa, sole owner of Hawaii Benra Sha.
7022-----	Mrs. Shizuko Gono.
7045-----	Mr. Noboru Kawada.
7083-----	Mr. Fusayo Oka or Yoshiyuki Oka.
7037-----	Mr. Teru Oyama.
7035-----	Mr. Juntaro Shirai and Kinuyo Shirai.
7038-----	Mr. Yakyu Shishido.
7100-----	Mr. Shinzuke Sumida.
7104-----	Yayoo Suzuki and Wasaku Suzuki.
7107-----	Hiyojiro Takamori, a/k/a Heijiro Takamori or Aya Takamori.
7253-----	Kenzo Higo or Tsurue Higo.
7259-----	Minoru Hirano or Tatsumatsu Hirano.
7271-----	Yamasuke Kaneshiro.

All other provisions of said Return Order No. 93 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-4544; Filed, May 19, 1948; 8:54 a. m.]

ERICH HAUSDORF

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Erich Hausdorf, Ottawa, Canada, 5784; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to

United States Letters Patent Nos. 2,134,084 and 2,137,236.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4546; Filed, May 19, 1948;
8:55 a. m.]

MR. CHORAI AMURO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof the following property, located in the Treasury of the United States, Washington, D. C., subject to any increase or decrease resulting from the administration of such property prior to return and after adequate provision for taxes and conservatory expenses:

Claimant	Claim No.	Property
Mr. Choral Amuro, 521 A-4 Hiram Lane, Honolulu, T. H.	7011	\$403.57
Mr. Gilehi Harada, 1252 Palolo Ave., Honolulu, T. H.	7023	1,529.98
Magesuke Harada, 530 Walpa Lane, Honolulu 7, T. H.	7025	789.62
Masaru Honda, Post Office Box 112, Wailua, Oahu, T. H.	7028	1,531.09
Mr. Yoneji Ideta or Miki Ideta, 373 Kapala Pl., Honolulu 23, T. H.	7029	1,422.39
Mr. Yoneji Ideta or Miki Ideta, 373 Kapala Pl., Honolulu 23, T. H.	7030	886.15
Mr. Masuo Ishihara, 1422 Auld Lane, Honolulu, T. H.	7034	146.76
Mr. Aki Kashiwabara, 920-G No. 1 Austin Lane, Honolulu, T. H.	7043	1,014.69
Mr. Tomo Kikuta, 839 Kuikahi St., Honolulu, T. H.	7046	1,076.14
Mrs. Yuki Kuwaye, 1233 No. 2 Hall St., Honolulu, T. H.	7054	1,100.18
Kenkichi Maekawa, Kaneohe, Oahu, T. H.	7056	1,385.96
Sue Maekawa, Kaneohe, Oahu, T. H.	7057	320.79
Mr. Joe Matsunaga, 1678 Lima Lane, Honolulu, T. H.	7061	251.59
Mr. Kinshiro Matsue or Mrs. Tsugi Matsue, 1060 Kilani Ave., Wailua, Oahu, T. H.	7063	660.32
Mr. Minoru Matsura, c/o H. S. P. A., 1527 Keeaumoku St., Honolulu 4, T. H.	7064	415.42
Mr. Haru Morihe, 1812 Nuuanu St., Honolulu, T. H.	7066	1,203.17
Mr. Kama Nakama, 3745 Pahoa Lane, Honolulu, T. H.	7071	385.76
Mr. Hisakichi Niimi, 2153 Puna St., Aloha Height, Honolulu, T. H.	7074	2,138.38
Mr. Yuu Oeda, 2371 Wailae Ave., Honolulu, T. H.	7079	394.90
Mr. Ichiji Ogata, 702 Kunawai Lane (formerly 716 Kunawai Lane), Honolulu 44, T. H.	7081	2,283.66
Mr. Kaneikichi Oshiro, 4418 Kahala Ave., Honolulu, T. H.	7085	501.39
Mr. Yukiohi Sako or Naruyo Sako, 1839 South King St., Honolulu, T. H.	7089	2,267.28
Mr. Shun Suckum, 1210 Desha Lane, Honolulu 18, T. H.	7098	445.70
Toranoshiu Akimoto, 625-D Robello Lane, Honolulu, T. H.	7230	395.82

Claimant	Claim No.	Property
Mrs. Mine Fujii, 582 N. King St., Honolulu 18, T. H.	7214	\$2,377.08
Shuji Yoda, sole owner of City Grill, 72 South King St., Honolulu, T. H.	7250	463.45
Shuji Yoda, 72 South King St., Honolulu, T. H.	7251	907.76
Taichiro Hanzawa, Post Office Box 777, Paia, Maui, T. H.	7252	517.94
Kichitaro Higa, 810 Kapaakea Lane, Honolulu, T. H.	7257	666.19
Masayo Igawa, 925-G Kapaakea Lane, Honolulu, T. H.	7252	673.56
Naichi Iida, Prison Rd., Lahaina, Maui, T. H.	7233	1,702.55
Tsuruji Inouye, Kunia, Wahiawa, Oahu, T. H.	7235	382.26
Teijiro Kozumi, 64 Moliwai Ave., Wahiawa, Oahu, T. H.	7278	12.23
Juhei Kusama, 561-B Quinn Lane, Honolulu, T. H.	7238	527.69
Tome Nishimura or Tsugito Nishimura, 515 Koula St., Honolulu, T. H.	7309	543.71
Tomoe Tagashira, 1774-I Palolo Ave., Honolulu, T. H.	7345	5,143.55
Mineyasu Tanaka, 942-A Wilili St., Honolulu, T. H.	7355	2,566.77
Sadaji Tanaka or Hatsue Tanaka, 472 N. Kukun St., Honolulu 25, T. H.	7357	4,866.56
Yoshi Tanaka, 504 Winant St., Honolulu 35, T. H.	7361	719.37
Tomusaku Tsuchiya, 1334-A Akana Lane, Honolulu 22, T. H.	7375	5,098.67
Kinji Watanabe, 3511 Nuuanu Ave., Honolulu, T. H.	7338	1,344.10
Yashuro Watanabe, 2707 S. King St., Honolulu 36, T. H.	7390	1,023.84
Ochiei Yokoyama, a/k/a, Ochiei Yokoyama, 1117-12th Ave., Honolulu 26, T. H.	7404	2,317.19
Notsuo Yoshizawa, 1220 Matlock Ave., Honolulu, T. H.	7408	3,963.71
Mrs. Kayo Akaboshi, a/k/a, Mrs. Kayo Akaboshi, 3002-A Wailae Ave., Honolulu 38, T. H.	7563	1,552.80
Naka Akita, 1511 Chun Hoon Lane, Honolulu 52, T. H.	7570	1,051.70
Toyo Akita, 1931 Aupuni St., Honolulu 29, T. H.	7572	561.61
Yasujiro Aoki or Masu Aoki, 1533 Dillingham Blvd., Honolulu, T. H.	7574	1,712.51
Shizuichi Arimoto or Haruo Arimoto, c/o Miss M. M. Damon, Bishop Trust Co., Honolulu, T. H.	7577	4,637.47
Tojo Arakaki, 2730-B Lalaola Ave., Honolulu, T. H.	7578	1,002.41
Yoshio Fujii, 1605 Waiakabalu, Honolulu, T. H.	7583	1,174.03
Kitaro Fujita, Halciva, Wailua, Oahu, T. H.	7586	1,560.49
Chukichi Fukuda or Mrs. Sada Fukuda, 134 North Pauahi St., Honolulu, T. H.	7587	8,035.00
Matsu Fukuda, 1960-B S. King St., Honolulu 19, T. H.	7589	2,475.52
Koichi Fukunaka, 1951 Fort St., Honolulu 23, T. H.	7590	1,032.95
Natsu Furukawa, 1744 F. Liliha St., Honolulu, T. H.	7592	2,579.81
Kamejiro Furusho or Kaneo Furusho, 697 South King St., Honolulu 53, T. H.	7593	4,066.66
Otochi Hatanaka, 3420 Kaau St., Honolulu 31, T. H.	7597	6,009.00
Carl M. Higa or Kana Higa, 908 Waiwamalu Rd., Honolulu 49, T. H.	7599	205.42
Matsusei Higa, 4710 Farmers Rd., Honolulu, T. H.	7600	521.03
Mrs. Saji Higashimachi, 1139 15th Ave., Honolulu, T. H.	7601	4,016.92
Mr. Denzo Hirose or Masayo Hirose, 2827-B Wailae Ave., Honolulu, T. H.	7603	1,028.74
Junzo Honda, 1423 Palolo Ave., Honolulu, T. H.	7609	671.70
Mr. Toshiko Ichigka, 2022 Algaroba St., Honolulu 27, T. H.	7612	435.45
Masayo Uyeda a/c in name of Tsun- esaburo Ikuno, 1319 8th Ave. Honolulu, T. H.	7615	303.31
Aiji Ishida or Komayo Ishida, c/o Oahu Country Club, Honolulu, T. H.	7617	2,801.87
Take Ito or Fujie Kawakami, 1820- D Waiola St., Honolulu, T. H.	7632	457.74
Masano Kikawa or Kunio Kikawa, 1223 16th Ave., Honolulu, T. H.	7634	2,162.74

Claimant	Claim No.	Property
Mrs. Matsu Koyama, Post Office Box 4, Waiapahu, Oahu, T. H.	7637	\$350.45
Isakichi Kuloaka or Yoshi Kuloaka, 637 22d Ave., Honolulu, T. H.	7639	1,042.03
Fred K. Makino, trustee for Michio Makino, 111 Kuliouou Rd., Hon- olulu, T. H.	7641	11,302.07
Mr. Kakulchi Masui, guardian of Glenn Yokio Masui, 935 Maka- hiki Way, Honolulu, T. H.	7643	1,112.48
Yonekichi Matsumoto, 603 Kaiwula St., Honolulu, T. H.	7645	1,050.20
Bunzo Matsushima or Asao Mat- sushima, 2606 Kullei Lane, Hon- olulu 36, T. H.	7647	7,627.18
Kotaka Miyachi, 2035 Young St., Honolulu 27, T. H.	7649	3,185.40
Mr. Shunso Moriyasu, 2631 South King St., Honolulu, Oahu, T. H.	7655	1,003.62
Mr. Kiyochi Murata 528 S. Queen St., Honolulu, T. H.	7657	1,725.03
Mr. Yoshino Murata, 628 South Queen St., Honolulu, T. H.	7658	262.29
Mr. Kotaro Nishida, Wahiawa, Oahu, T. H.	7660	203.69

Executed at Washington, D. C., on May 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4545; Filed, May 19, 1948;
8:54 a. m.]

DAVID E. SAPPER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

David E. Sapper, Guatemala City, Guatoma-
la, 2224- 6 shares of common capital stock
of Central American Plantations Corpora-
tion, registered in the name of the Attorney
General of the United States, presently in
custody of Safekeeping Department of the
Federal Reserve Bank of New York.
\$438.00 in the Treasury of the United
States representing liquidating dividends
from said shares.

Executed at Washington, D. C., on May 14, 1948.

For the Attorney-General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-4547; Filed, May 19, 1948;
8:55 a. m.]